

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward L. Blach and James R. Chiapetta
Docket: 12460.1-US-I2
Title: NASAL SUPPORT DEVICE FOR DOMESTIC MAMMALS AND METHOD

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL119856027US

Date of Deposit: March 8, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Tim Just
Name: Tim Just

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ Utility Patent Application: Spec. 39 pgs; 20 claims; Abstract 1 pg:
- ☒ 16 sheets of drawings
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ Return postcard
- ☒ **PAYMENT OF THE FILING FEE IS BEING DEFERRED.**

MERCHANT, GOULD, SMITH, EDELL,
WELTER & SCHMIDT

3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

By: James R. Chiapetta
Name: James R. Chiapetta
Reg. No.: 39,634
Initials: JRC:jkc

NASAL SUPPORT DEVICE FOR DOMESTIC MAMMALS AND METHOD

5

Cross-Reference to Related Application

The present application is a continuation-in-part of U.S. Serial No. 09/018,603,
filed February 4, 1998, which is a continuation-in-part of U.S. Ser. No. 08/843,741 filed
10 April 21, 1997, the entire disclosure of each of these applications is incorporated herein
by reference herein.

Field of the Invention

The present invention is directed to facilitating air flow through the nasal passages
15 of a domestic animal. Specifically, the invention provides devices and methods for
supporting the soft tissue structures of the nasal passages of a domestic animal.

Background of the Invention

Portions of the following discussion of the nasal anatomy of domestic mammals
20 are excerpted from R. Nickel et al., *The Viscera of Domestic Animals*, (2nd revised ed.),
Springer-Verlag, New York, Hiedelberg, Berlin (1979), pp. 211-221. This is an excellent
text on the comparative visceral anatomy of domestic mammals. As used herein, the
terms "mammal" and "animal" are used synonymously and refer to non-human
mammals.

The nasal anatomy of domestic animals is considerably different than that of a human. Unlike the human nose that projects distinctly from the face, in domestic animals, the nose is incorporated into the face and forms the large dorsal and lateral areas rostral to the eyes. The nostrils in the apex of the nose are the entry to the respiratory system of domestic mammals. Once passing through the nostrils, inspired air moves into the nasal cavities and continues through the nasopharynx, larynx, trachea and lungs.

At the apical entrance to the nose the nostrils are partitioned by the nasal septum to divide the nasal cavity into right and left halves. The caudal portion of the septum is bony, while rostrally the septum consists of cartilage which becomes progressively more flexible toward the apex.

The wall of the nose consists of skin externally and a middle supporting layer of bone caudally and cartilage rostrally. The nasal cavity is lined by a mucous membrane. The rostral bones forming the wall of the nose include the nasal, maxillary and incisive bones. The free borders of the nasal and incisive bone provide attachment for the cartilages which support the nostrils. The supporting bones and cartilages of the nose are associated with the nasal muscles that regulate the size of the nostrils.

The dorsal and ventral lateral nasal cartilages are formed by the widening of the rostral part of the nasal septum along its dorsal and ventral margins. In the horse, the ventral lateral nasal cartilage is small and may be absent. In many domestic animals, there is no lateral support for the soft tissue over the rostral nasal passage caudal to the nostril.

A further difference in the formation of the nasal cartilages of the horse is the presence of alar cartilages. The alar cartilages consist of a ventral cornu and a dorsal lamina and support the nostrils dorsally, medially and ventrally. The lamina of the alar cartilage and the medial accessory cartilage support the nasal diverticulum, a blind pouch
5 in the dorsal aspect of the nostril.

The muscles of the nose and upper lip act to dilate the nostrils. This is particularly noticeable during labored breathing. In the horse, these muscles are well developed and can transform the normally semilunar nostrils to become circular.

The dorsal lateral area of the rostral nasal cavity that is caudal to the alar
10 cartilages in the nostrils of the horse includes a region of unsupported soft tissue which can be drawn into the nasal cavity during inspiration of air into the nasal passages. The nasal diverticulum of the horse is a part of the soft tissue structures of the horse which can be drawn into the nasal cavity. When the soft tissue is drawn in, it can narrow the nasal cavity and reduce the area for the intake of air, thus reducing the air movement into
15 the nasal passages and ultimately to the lungs where the oxygen is transferred in the pulmonary aveoli. The physiological effects of reduced oxygen transfer at rest and during physical exertion are documented. Some experts have theorized that exercise induced pulmonary hemorrhage (EIPH) in performance horses is caused by asphyxia due to abnormal resistance of a closed or partially closed upper airway. The upper airway
20 being defined as the region of the respiratory tract lying between the nostrils and the windpipe at the level of the first rib. Hence, the nasal passages are part of this region.

Dr. Robert Cook, "EIPH or AIPE? A Tufts University Researcher suggests that bleeding

is not caused by EIPH, but by asphyxia”, The Equine Athlete, p. 22-23 (March /April 1997).

Devices for dilating the outer wall tissue of the nasal passages in humans have been described in, for example, US Patent Nos. 5,533,503; 5,546,929; 5,553,605; and RE 35,408. These devices, however, do not address the unique soft tissue structures and mechanical problems associated with providing support for the nasal tissues of non-human mammals, especially large performance mammals such as the horse and camel.

Accordingly, there is a need to reduce the detrimental effects of reduced air intake, or to enhance the physiological benefit of increased air intake, during physical exertion of domestic mammals. Specifically, there is a need to increase, or reduce the decrease of, nasal passage narrowing that can occur during breathing in domestic mammals, especially performance animals such as the horse, camel, and dog.

Summary of the Invention

The present invention provides devices and methods for using the devices to support the unsupported nasal tissues of a domestic animal. The invention addresses providing support in view of the structural and physiological characteristics unique to the nose of a non-human animal, for example, a horse. In some embodiments, a nasal support device (NSD) disclosed herein can reduce inspiratory air flow impedance by at least about 5-10%

In one embodiment the invention is a NSD for securing to the nose of a domestic animal. The NSD provides support to the right and left lateral vestibular walls

of a domestic animal. The device includes a support layer and a right and left side piece which when secured to the nose of the animal are positioned to provide structural support to the right and left lateral vestibular walls. The side pieces of the device can meet at the midline region of the device. When secured to the nose of a domestic animal, the midline
5 region of an NSD of the invention straddles the left and right nasal bones of the animal.

The sides and the midline region of the NSD each have a rostral end, a caudal end and a rostral-poll dimension. In one embodiment, the rostral -poll dimension of the midline region is at least as great as either of the rostral-poll dimensions of the side pieces. In an alternative embodiment, the rostral- poll dimension of the midline region is
10 greater than either of the rostral-poll dimensions of the side pieces. In some embodiments, the rostral-poll dimension at the midline region is greater than either of the rostral -poll of the side pieces and the device is bilaterally symmetrical across both the longitudinal and transverse axes of the device. In some embodiments, the rostral end of the NSD can extend rostrally between the nostrils in the form of a “tongue” to provide
15 externalizing support to the soft tissues between the nostrils.

An NSD configured according the invention can be used on many different animals. In one embodiment an NSD is sized to fit a member of the Equidae family, including the domestic horse. The device is suitable for adults and young animals. In general, the structural aspects of an NSD of the invention can be configured and sized to
20 fit the nose of, for example, a dog, human, horse, camel, etc.

In general, an NSD comprises a support layer, an engaging layer, and in some embodiments a surface layer and/or pad layer. The support layer of an NSD can include

one or more lift members to support the vestibular wall. The lift members can traverse the nose and extend to a point dorsal to the ventral border of the vestibular wall, or beyond the ventral border of the vestibular wall lateral to the incisive bone.

Alternatively, one or more lift members of an NSD can be applied over each vestibular wall and act to externally stent each vestibular wall independently without connecting to one another across the midline of the nose.

The invention further provides a method for supporting a first and second vestibular free wall of a domestic animal by securing a device which supports the first and second vestibular free walls to the nose of the animal. In one embodiment, the method includes use of an NSD as disclosed herein.

The method of the invention provides for facilitating air flow through the nasal passages of a domestic animal. The device and method of the invention are particularly advantageous for use in the horse and are beneficial for facilitating athletic performance or for reducing the occurrence, severity or affect(s) of respiratory diseases in an adult or young animal.

A device and method according to the invention can be used on an animal that is running freely in a pasture, or wearing saddlery, harnesses or other equipment that can be attached to the nose of the animal.

20

Brief Description of the Drawings

FIG. 1a is a top view of one configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

FIG. 1b is a top view of a second configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

FIG. 1c is a top view of a third configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

5 FIG. 1d is a top view of a fourth configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

FIG. 1e is a top view of a fifth configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

10 FIG. 1f is a top view of a sixth configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

FIG. 1g is a top view of a seventh configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

FIG. 1h is a top view of an eighth configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

15 FIG. 1i is a top view of a ninth configuration of an embodiment of an NSD which incorporates the functional aspects of the invention.

FIG. 2 is a perspective view of the bony and cartilaginous anatomy of the rostrum nasal cavity of the horse.

20 FIG. 3 is a profile view of the bony anatomy of the rostral nasal cavity of the horse.

FIG. 4 is a dorsal or top view of the bony anatomy of the rostral nasal cavity of the horse.

FIG. 5 is a top plan view of one embodiment of an NSD with the surface layer removed and the support layer exposed.

FIG. 6 is a top plan view of a second embodiment of an NSD with the surface layer removed and the support layer exposed.

5 FIG. 7 is a top plan view of a third embodiment of an NSD with the surface layer removed and the support layer exposed.

FIG. 8 is a frontal view of a horse having an embodiment of an NSD of FIGs. 5 or 6 secured to its nose.

10 FIG. 9 is a front view of a horse having an embodiment of an NSD of FIG. 7 secured to its nose.

FIG. 10 is an exploded perspective view of the components of the embodiment of an NSD configured as shown in FIG. 5.

FIG. 11 is a bottom plan view of an engaging layer of an embodiment of an NSD having a discontinuous adhesive pattern.

15 FIG. 12 is a bottom plan view of an embodiment of an NSD having holes throughout the thickness of the device.

FIG. 13 is an exploded perspective view of the NSD shown in FIG. 12.

FIG. 14 is a diagrammatic representation of a configurational appearance for an NSD according to the invention having two axes bilateral symmetry;

20 FIG. 15 is a top side view of one appearance of an NSD having two axes bilateral symmetry;

FIG. 16 is bottom side view of the NSD of FIG. 15;

FIG. 17 is an alternative embodiment of a bottom side view of the NSD of
FIG. 15;

FIG. 18 is an alternative embodiment of a bottom side view of the NSD of
FIG. 15;

5 FIG. 19 is an alternative embodiment of a top side view of an NSD having two
axes bilateral symmetry;

FIG. 20 is bottom side view of the NSD of FIG. 19;

FIG. 21 is an alternative embodiment of a bottom side view of the NSD of
FIG. 19;

10 FIG. 22 is an alternative embodiment of a bottom side view of the NSD of
FIG. 19;

FIG. 23 an alternative embodiment of a top side view of an NSD having two axes
bilateral symmetry;

FIG. 24 is bottom side view of the NSD of FIG. 23;

15 FIG. 25 is an alternative embodiment of a bottom side view of the NSD of
FIG. 23;

FIG. 26 is an alternative embodiment of a bottom side view of the NSD of
FIG. 23;

FIG. 27 an alternative embodiment of a top side view of an NSD having two axes
20 bilateral symmetry;

FIG. 28 is bottom side view of the NSD of FIG. 27;

FIG. 29 is an alternative embodiment of a bottom side view of the NSD of
FIG. 27;

FIG. 30 is an alternative embodiment of a bottom side view of the NSD of
FIG. 27;

5 FIG. 31 is an alternative embodiment of a bottom side view of the NSD of
FIG. 27

FIG. 32 an alternative embodiment of a top side view of an NSD having two axes
bilateral symmetry;

FIG. 33 is bottom side view of the NSD of FIG. 32;

10 FIG. 34 is an alternative embodiment of a bottom side view of the NSD of
FIG. 32;

FIG. 35 is an alternative embodiment of a bottom side view of the NSD of
FIG 32;

FIG. 36 an alternative embodiment of a top side view of an NSD having two axes
15 bilateral symmetry;

FIG. 37 is bottom side view of the NSD of FIG. 36;

FIG. 38 is an alternative embodiment of a bottom side view of the NSD of
FIG. 36;

FIG. 39 is an alternative embodiment of a bottom side view of the NSD of
20 FIG. 36;

FIG. 40 is an alternative embodiment of a bottom side view of the NSD of
FIG. 36;

FIG. 41 is an alternative embodiment of an NSD according to the invention;

FIG. 42 is a rostral end view of the NSD of FIG. 41;

FIG. 43 illustrates an alternative embodiment of an NSD positioned over the lateral vestibular walls of a horse; and

5 FIG. 44 is an alternative embodiment of an NSD according to the invention.

Detailed Description of the Invention

The invention is directed to devices and methods for supporting the soft tissue at the rostral aspect of the nasal cavity of domestic mammals. Specifically, the devices and
10 methods disclosed herein provide support for the unsupported region of the “vestibule” in the rostral nasal cavity.

As used herein, domestic mammals include most non-human production and performance animals having a nose incorporated into the face, rather than projecting therefrom, that can benefit from a device according to the invention. Such mammals
15 include dogs, sheep, goats, cattle, horses, camels, llamas, etc. A device according to the invention can be particularly useful for members of the Equidae family including horses, donkeys, mules, zebras etc.

As used herein, “performance activities” or “work” includes activities such as pulling, driving, racing (flat, steeple, barrel, etc.), eventing, hunting, jumping, rodeoing,
20 trail riding, endurance riding, etc. In general, the device can be used anytime it is desired to facilitate or enhance nasal air intake. In addition, to facilitating air flow, an NSD according to the invention can also be used to treat or prevent respiratory ailments in

adult or young animals such as foals and calves. It is foreseen that the devices and methods of the invention may be particularly beneficial in horses for reducing the severity or affect(s) of laryngeal hemiplegia, chronic obstructive pulmonary disease (COPD) or exercise related pathologies such as myositis, dorsal displacement of the soft palate (DDSP), or exercise induced pulmonary hemorrhage (EIPH) or “bleeding”.

As used herein, the term “rostral” refers to that aspect of the nose or anatomical structure closest to the apex of the nose. “Caudal” refers to that aspect of the nose closest to the poll or caudal aspect of the head relative to the apex. The “vestibule” refers to the rostral aspect of the nasal cavity that is defined by the alar cartilages rostrally, the incisive bone ventrally, the nasal bone dorsally, the caudal intersection of the incisive and nasal bones caudally, and the nasal septum medially. Thus, supported regions of the vestibule are supported by bone or cartilage.

The “unsupported” region of the vestibule is also referred to as the “lateral (free) wall” of the vestibule or “vestibular wall”. The lateral wall of the vestibule includes the unsupported soft tissue defined by the nostrils rostrally, the lateral free border of the nasal bone dorsally, the dorsal free border of the incisive bone ventrally, and the intersection of the nasal and incisive bone caudally. In the horse, the dorsal border of the unsupported region can include the dorsal lateral nasal cartilage and, in some species, the ventral border can include the ventral lateral nasal cartilage. Herein, “soft tissue” has its general meaning including skin, muscle, fat, connective tissue or associated integumentary structures.

In general, the anatomy of soft muzzled mammals such as the horse and camel give rise to unique physical mechanical problems in supporting the vestibular soft tissues. For example, in the horse, the alar cartilages that are attached at the rostral border of the nasal septum supports the alar fold which gives rise to the blind cutaneous pouch referred to as the “false” nostril. Providing structural support for the vestibule of the horse preferably includes providing support of the alar fold. A suitable support device according to the invention, preferably causes minimal irritation to the skin or other anatomic structures of the animal when in use or after removal.

Other anatomical and physiological characteristics of a soft muzzle animal must be overcome to provide a suitable NSD for these animals. For example, the hair that covers the external vestibular tissues can reduce the ability of an NSD to remain adhered to the animal’s nose under certain conditions. In addition, the presence of numerous sweat glands in this region, with or without the presence of hair, can also significantly reduce the ability of an NSD to remain adhered to this region when the animal is perspiring.

A further unique characteristic is the significant mobility of the external soft tissues in the vestibular region of some animals. For example, the muscular anatomy associated with the vestibular wall and nostrils of the horse enables considerable flexion, extension, twisting and side-to-side motion of the external vestibular tissues. The repeated in and out movement of the vestibular tissues during inspiration and expiration also affects the ability of an NSD to maintain a functional position in these animals. Thus, the combination of hair, sweat and vestibular wall movement during intense

exercise present unique challenges to adherence and functioning of an NSD in certain animals, such as the horse.

Another factor considered in providing an NSD for support of the vestibule of a horse or camel is the equipment, including saddlery or harnesses, worn by the animal when working. Generally, “saddlery” refers to bits, bridles, martingales, muzzles, headcollars, saddles and other equipment used with a riding animal. “Harness” refers to equipment used with a driving animal. A suitable configuration and arrangement of an NSD of the invention preferably does not interfere with the functioning of saddlery or harnesses and the saddlery or harnesses preferably do not interfere with the functioning of the NSD.

It should be noted that an NSD according to the present invention need only engage the lateral free wall of the vestibule, it does not need to engage the nostrils. Upon visual inspection it will be appreciated that the nostril of the horse can expand to a cross-sectional area that is greater than an unsupported cross-sectional area measured in the nasal cavity in the region of the lateral vestibular wall. However, it is foreseen that support of the nostril could be provided in some circumstances. In the horse, for example, the muscles of the nose and upper lip generally provide significant flaring of the nostril during labored breathing.

Some exemplary embodiments of a device of the invention and its components are described below. Throughout the specification guidance is provided by examples of representative groups, the groups are not meant to be limiting.

The configuration and arrangement of an NSD of the invention is determined by the configuration of the tissue to be supported, the amount of support needed and the unique physiological or anatomical characteristics of the animal. Generally, the unique nasal anatomy of domestic animals necessitates configurations, arrangements or
5 dimensions which are different than that required for a human nose. In addition, as discussed previously, hair, sweat and vestibular wall mobility affect the structural arrangement necessary for functionality of an NSD.

In a typical embodiment, a herein disclosed NSD provides support to the right and left lateral vestibular walls of the animal. Generally, the device includes a support
10 layer having a right and left side piece which when secured to the nose of the animal are positioned to provide structural support to the right and left lateral vestibular walls. The “right” and “left” side pieces can also be referred to as “first” and “second” or “second” and “first” side pieces. The NSD is generally bilaterally symmetrical and does not utilize a narrow intermediate section between the side pieces. The side pieces of the device meet
15 at about the midline a midline region of the device. When the NSD is secured to the nose of a domestic animal, the intersection of the right and left side pieces at the midline region substantially straddles the left and right nasal bones of the animal.

The side pieces and the midline region of an NSD each have a rostral end, a caudal end and a rostral-poll dimension. Because of the size and related anatomy of the
20 surface area of the vestibular free wall of, for example a horse, to provide sufficient support to benefit the animal, the rostral-poll dimension at the midline region of an NSD of the invention can be substantially equal to or greater than the rostral poll dimension of

the side pieces that engage the vestibular free wall. Hence, in one embodiment, the rostral-poll dimension of the midline region is at least as great as the rostral-poll dimension of either of the side pieces. In an alternative embodiment, the rostral-poll dimension of the midline region is greater than the rostral-poll dimension of the right or left side piece. However, a device having a relatively narrow intermediate region similar to some devices available for humans, and modified to include an increased surface area, modified support system and modified adhesive system may provide some benefit to an animal.

In addition, it is foreseen, that although the preferred configuration of an NSD of the invention is particularly advantageous for use on animals such as horses, the unique configurations disclosed herein can provide an advantageous improvement in dilators for a human nose. Moreover, a device having the general configuration of a preferred embodiment of the invention, but sized for use with a human nose, can also advantageously provide a sun blocking, or visor effect, for the proximal and /or rostral end of a human nose. Two configurational embodiments particularly suited for a human or animal nose are illustrated in FIG. 1h and 1i. In one preferred embodiment for humans, at least two lift members of 1400A Gauge MYLAR®, available from DuPont Films, Wilmington DE, are applied transversely as support members in an NSD configuration such as that illustrated in FIG. 1h.

In some embodiments, the rostral end of the NSD at or near the midline region extends to the apex of the muzzle between the nostrils and is referred to as a “tongue”.

This embodiment can provide lift support to the most rostral aspect of the soft tissues and cartilaginous nasal septum between the nostrils.

The structural configuration and arrangement of an NSD can vary in some aspect(s) and still maintain the mechanical functioning of a device according to the invention. Personalization of the external design of an NSD can reflect aesthetics, personal tastes, racing colors, etc. The overall appearance of the embodiments illustrated in the present disclosure are not exhaustive of those which are within the scope of the invention. Examples of a few general configurations which impart some or all of the functional aspects of the invention are shown in the top plan views of FIG. 1a-i, and 5-13. Generally the bottom plan configuration of an NSD is substantially identical to the top plan configuration shown. The side plan view is substantially void of ornamental features.

As used herein, the term “support” refers to reducing the amount of narrowing of the nasal passage that can occur during inspiration or expiration of domestic animals. Accordingly, “support” can include some drawing in of the vestibular free wall at the rostral nasal passage during inspiration, but less than that which would occur without a device of the invention. “Support” also includes maintaining the position of the external soft tissue over the rostral nasal passage in a neutral position. As used herein, “neutral” refers to a state where the unsupported vestibular tissues are neither drawn into the nasal cavity nor protruding externally relative to a resting position. In some arrangements, “support” also includes maintaining the vestibular free wall in a “distended” outward position relative to the neutral position.

The configuration and arrangement of a support device for animals takes into account the anatomical and physiological characteristics of the vestibular free wall as well as the bony structures defining its borders. Moreover, in most large domestic animals, the structural support necessary to support the lateral free wall must also take into account the weight of the tissue supported and the proper leveraging for distributing the weight supported without causing pressure sores or other irritation to surrounding tissues. In addition, due to the muscle control of the upper lip of the horse, supporting the vestibular free wall must also address the active and passive mobility of the muzzle structures.

The size of a device of the invention can vary. Appropriate sized devices will typically correspond with muzzle size which can vary with the body size, breed, age, and sex, of the animal. It is foreseen that smaller size NSDs for young animals, such as calves and foals can be beneficial in treating, for example, upper respiratory ailments. In some embodiments, the rostral-poll midline dimension of an NSD for an average sized adult horse is about 3 to 16 cm, preferably 6-14 cm and the rostral poll dimension of the right and left side is about 3 to 12 cm. However, larger and smaller sizes may be used.

The transverse dimension of an NSD can also vary. The “transverse dimension” is defined as the length of the device from the peripheral edge of one side of the device to the peripheral edge of the second side of the device. The transverse dimension can be approximately equal at the rostral and caudal edge. Alternatively, the transverse dimension can vary in a single device depending if measured, for example, along the caudal edge, the rostral edge, the narrowest part or the widest part. In one embodiment of

an NSD for an average size horse, the transverse dimension at the narrowest part can be about 5-12 cm and about 10-17cm at the widest part.

Typically, an NSD according to the invention includes at least a “support layer” and an “engaging layer”. In some embodiments a “surface layer” can be present to cover the side of the support layer that is away from the nose of the animal when the device is secured to the nose of the animal. Some embodiments can also include one or more “pad layers” which can help reduce the chance of pressure sores caused by the device.

The support layer provides the majority of the support for the vestibular free wall of the nasal passage of an NSD. Generally, support is provided in the support layer through the use of one or more “lift members.” As used herein a “lift member” can be prepared from any suitable material which provides the desired support to the vestibular free wall. Examples of suitable materials for a lift member include thermoplastic resins, thermoset resins, shape memory metals, alloys, leather, etc. The lift member can be a unitary open mesh or solid material. Alternatively, the lift member can be two or more individual sections of an open mesh or solid material. A preferred thermoplastic resin for a lift member is a polyester such as MYLAR® available from DuPont Films, Wilmington DE.

In some embodiments, the lift members are of a generally uniform thickness throughout their length and width. The thickness of the lift members will typically be selected based on the support needed, and is generally the same throughout. However, the lift member can also vary in thickness in different regions of the device. In addition, a lift member need not be the same width throughout its length. That is, the lift member

can be wider at the lateral ends of the lift member. Alternatively, a lift member can be wider in the region that will lie over the midline region of the nose and narrower on the ends.

Suitable thickness for a lift member prepared from a polyester such as MYLAR®
5 for an adult large animal such as a horse is about .008 to about .020 inches. In one preferred embodiment, the thickness of a support member for an average size adult horse is about .014 inches.

The support layer can include one or more lift members. In one embodiment using a single lift member, the configuration of the peripheral edge of the lift member
10 can define the external contours of the overall device. In other embodiments, two and preferably, three or more lift members are used. In such embodiments, a plurality of lift members can be arranged parallel along the transverse dimension of the device.

Alternatively, a plurality of lift members can be oriented perpendicular to one another such that one or more lift members are oriented parallel to the transverse dimension of the
15 device and one or more lift members are oriented parallel to the rostral-poll dimension of the device. In yet another embodiment, two or more lift members can be oriented in a substantially criss-cross arrangement to form an "X" shaped appearance in top plan view.

In some embodiments it is advantageous to provide lift members in a rostral caudal direction. Lift members oriented in a rostral caudal direction can be located in the
20 side pieces to further provide the lift of the NSD. In addition, or alternatively, lift members can be oriented in a rostral caudal direction at or near the midline intersection of the first and second side pieces. This arrangement of the lift members is particularly

advantageous for NSD embodiments which extend rostrally to form a “tongue” for support of the soft tissue between the nostrils.

When using multiple solid lift members, the spacing between individual lift members can affect the adherence and overall functioning of an NSD. Appropriate
5 spacing between individual lift members provides for the device to adaptively conform to the changing contours of the vestibular wall of an animal during inspiration, expiration or other movements, without disengaging from the animal’s nose.

The width, length and spacing of one or more lift members can vary based on the overall dimensions of the particular NSD. Also, the length of the individual lift members
10 can vary in a single device so as to traverse some or all of the dorsal-ventral dimension of the vestibular free wall. Preferably, the transverse length dimension of a lift member is sufficient to traverse the midline of the animal’s nose and extend to the right and left side pieces beyond the dorsal lateral nasal cartilages to support the right and left vestibular free walls. In some embodiments, the lift members can extend beyond the ventral edge of
15 the vestibular free wall to a point lateral to the incisive bone. Generally, the lift members provide a “lift” effect on the vestibular free wall to reduce drawing of the vestibular free wall into the nasal passage during respiration. However, if the lift members extend beyond the ventral edge of the vestibular free wall to the lateral aspect of the incisive bone, the incisive bone can act with the lift members to “stent” the vestibular free wall
20 and facilitate the reduction of the drawing of the vestibular wall into the nasal cavity that is provided by the lift members. This may be particularly advantageous in large animals during labored breathing.

When two or more lift members are used, the width of the lift members and the spacing between lift members are selected for the NSD to provide the desired support to the vestibular wall with sufficient flexibility to reduce the chance of irritation due to localized pressure at leveraging points on the animal's nose. In addition, use of multiple lift members provides for torsional flexibility of the device which helps maintain the functioning of the device when subjected to the unique mobility of an animal's vestibular tissues. In one embodiment of an NSD for an average size adult horse, the length of the lift members can be about 4-18 cm, preferably about 9-12 cm, the width can be about 0.2 to 2 cm and the spacing between lift members about 0.2 to 2 cm, preferably about 0.3 to 0.7 cm.

In one embodiment, the lift member can be a single member of a previously described solid or open mesh material that is shaped to stent a single vestibular wall. That is, the outer contours of the lift member are configured to follow the peripheral margins of the vestibular wall. Preferably, the perimeter edge of the lift member is extended to allow the lift member to overlap the borders of the vestibular wall by about 0.2 - 2 cm. According to this embodiment, the lift member can include an engaging layer and optionally a surface or pad layer as described below. Preferably, the engaging layer can extend beyond the perimeter of the lift member to enhance adherence to an animal's nose. However, rather than connecting at the midline region of the nose, this embodiment of an NSD comprises two separate pieces, that act as a stent for each vestibular wall.

An NSD preferably includes an engaging layer. The engaging layer provides for securing an NSD to the animal. If no surface layer (described below) is present and individual lift members are used, the engaging layer can also provide for maintaining the unity of the device. Typically, the engaging layer can secure the NSD to the nose by use
5 of an adhesive. Other invasive forms of engaging to the nose, such as suturing, are possible but not desired. Preferably, the adhesive is biocompatible and provides minimal or no contact irritation when applied to the external tissues of an animal.

Suitable materials for the adhesive of the engaging layer are single or double coated medical tape, transfer adhesives, or liquid adhesives. A release liner is preferably
10 applied to the NSD to protect the adhesive surface of the engaging layer until application to an animal. Pressure sensitive adhesives (PSA) can be used. Examples of suitable adhesive systems are No. 1509 double sided medical tape and No. 9942 Hydrocolloid Skin Protective Adhesive available from 3M Co., St. Paul, MN. A preferred adhesive system is No. 1524 transfer adhesive available from 3M Co., St. Paul, MN.

15 The adhesive can be continuous over the surface of the engaging layer. Alternatively, the adhesive can be in a discontinuous pattern that can be formed in multiple ways. For example, a discontinuous pattern can be applied as a pre-cut double sided medical tape or transfer adhesive. Alternatively, the adhesive can be applied as a liquid adhesive in a discontinuous pattern using methods such as gravure coating. A
20 variety of patterns may be used including circles, ovals stripes or polygons, such as rectangles, squares, triangles etc. The hexagonal pattern depicted in FIG. 11 is conveniently applied, but not required. The pattern need not be symmetrical. In addition,

the discontinuous adhesive pattern may extend to the periphery of the device or a continuous pattern adhesive border can be applied around the perimeter of the engaging layer. In addition, two or more adhesives may be used in combination to optimize adherence under different conditions. For example a first adhesive could provide greater adherence under dry conditions and a second adhesive provide greater adherence under moist conditions.

In an alternative embodiment, the adhesive can be applied in a continuous pattern and subsequently made discontinuous. For example, holes can be formed through the entire thickness of an NSD after a continuous adhesive is applied to the engaging layer, thus forming a discontinuous adhesive layer. No particular pattern of holes is necessary. However, preferably, the pattern of the holes is relatively evenly distributed over the entire surface area of the device and the locations of the holes are selected to avoid penetration through the lift members. As discussed above, the shape of the holes forming the discontinuous pattern can be round, oval, polygons etc. The ratio of adhesive area: non-adhesive area of a discontinuous adhesive pattern can be about 90:10 to 10:90, typically about 30:70 to 70:30, and in some embodiments, about 40:60-60:40.

Without being limited to a single theory, it is believed that in addition to permitting passage of perspiration to the exterior surface of the device, the discontinuous adhesive pattern, particularly in the form of holes facilitates malleability of the device to permit the device to more readily conform to the surface contours of the vestibular free wall without loss of adherence or reduced support of the device.

The NSD can include a surface layer. The surface layer is the layer farthest from the soft tissues of the animal. The side of the surface layer closest to the soft tissue of the animal can include an adhesive to adhere the surface layer to the support layer, to the top side of the engaging layer that may be exposed between lift members, or to the pad layer if used. The surface layer can provide additional support to the vestibular wall and help maintain unity of the components of an NSD. A suitable surface material can be breathable or non-breathable and typically includes a biocompatible adhesive. An example of a breathable material suitable as a surface layer is No. 1533 available from 3M Inc., St. Paul, MN. One preferred non-breathable surface material is No. 9906T non-woven medical tape available from 3M Co., St. Paul, MN. This material has been found to advantageously flex with the surface contour changes of the vestibular wall thus reducing the likelihood that the device will disengage from the animals nose, for example, during strenuous exercise. Preferably, because this material is non-breathable, holes are created through the entire thickness of the device to provide for passage of moisture and further cooperative malleability of the NSD.

The support layer can mount directly to the engaging layer. However, the NSD can also include a “pad layer” applied between the engaging layer and support layer. Alternatively, the pad layer can be applied between the surface layer and the support layer. An adhesive may be applied to both sides of the pad layer, only a single side or not all. That is the pad layer can be “free floating.”

In another embodiment, a partial pad layer can be applied. According to this embodiment, the pad layer can be applied between the support layer and the surface layer.

The pad layer can be adhered to the layers on either side of the pad layer or only to the layer on one side. For example, the pad layer can be applied between the support layer and engaging layer, but only adhered to the engaging layer and regions of the surface layer between individual lift members.

5 The pad layer can be formed of any suitable known material. One preferred material is a polyester material that allows the skin of the vestibular wall beneath the device to breathe. An example of a suitable pad layer is the product SONTARA® (style nos. 8004, 8005, 8027 etc.) available from E.I. DuPont Nemours & Co., DuPont Nonwoven Division, Old Hickory, TN. SONTARA® is a nonwoven, spunlaced,
10 breathable polyester fabric.

 If no pad layer is used, the support layer can mount directly to the engaging layer using a double sided adhesive. Alternatively, the lift members can be adhered to a non-adhesive side of the engaging layer, or to a nonadhesive pad layer using a double sided adhesive such as 3M 1509, 3M Inc., St. Paul, MN. Other arrangements are foreseen. For
15 example, the adhesive of the engaging layer can be applied between the support layer and surface layer. According to this embodiment, the engaging layer adheres to the animal's nose between individual lift members that are not adhered to the animal.

 The surface layer can include an ornamental design color, pattern, logo etc. if desired. Alternatively, an ornamental veneer layer can be applied to the exposed surface
20 of a surface layer or support layer.

 The engaging layer, surface layer, or pad layer (if used) can closely follow the external contours defined by the support layer. Alternatively, the periphery of the

engaging or other layers can extend beyond the contours defined by the support layer. In a preferred embodiment, extending the periphery of the engaging layer beyond the contours defined by the support layer can provide improved engagement of the NSD to the animal's nose. In one embodiment a margin region of about 0.5 cm to 5 cm, preferably about 2-3 cm of engaging layer extends beyond the support provided by the support layer. If present, the surface layer typically has the same perimeter dimensions as the engaging layer.

Generally, the overall thickness of the device is uniform. Some variation in thickness can occur due to differences in thickness of those regions of the device including the support members and those regions having spacing between support members.

The inventors also recognize that single or multiple lift members without a unifying layer (e.g., surface layer or engaging layer) can be used. According to this embodiment, an engaging layer, such as a previously described adhesive, can be applied to the lift member. One or more lift members can then be applied directly to the animals nose. While this embodiment may address the unique physiological and anatomical aspects of an animals nose as disclosed herein, the application and removal of the support members will be cumbersome. In addition, the support provided by the surface layer or engaging layer in the regions between the lift members will be lost.

Detailed Description of Illustrated Embodiment

Anatomical reference points and embodiments of an NSD according to the invention will be described in detail with reference to the drawings using the horse as an example. Like reference numerals represent like parts and assemblies throughout the several views. Reference to the drawings is not intended to limit the scope of the invention to the illustrated embodiments.

FIG. 1a-i are each a top view of a configuration of an embodiment of an NSD which incorporates the functional aspects of an NSD as disclosed herein. The embodiments shown are exemplary and are not intended to limit the scope of configurations that incorporate the principles of the invention. FIG. 1c shows various dimensions which can be used to characterize an NSD according to the invention wherein letters followed by a subscript "T" are the transverse dimensions including C_T is the caudal edge transverse dimension, R_T is the rostral edge transverse dimension, N_T is the narrowest part transverse dimension and W_T is the widest part transverse dimension. S is the rostral-poll dimension of the side piece and M is the rostrum poll dimension of the midline region.

Bony anatomical structures which surround the vestibule free wall in the horse that is supported by a device of the invention is described with reference to FIGS 2-4. FIG 2 is a perspective view of the bony and cartilaginous structures of the rostrum nasal cavity of the horse. FIG. 3 is a profile view of the bony anatomy and FIG. 4 is a top view of the same rostrum anatomy of FIG. 3. Figs. 3 and 4 do not show cartilaginous anatomy of the adult horse.

The lateral free wall of the vestibule is defined dorsal by the dorsal lateral nasal cartilage **1** which is the lateral most aspect of the nasal bone **2**. The ventral border of the vestibule free wall is defined by the dorsal free wall **3** of the incisive bone **4**. The caudal aspect of the vestibule free wall is defined by the intersection **5** of the nasal **2** and incisive **4** bones. The rostrum aspect of the vestibule free wall is bordered by the nostril (not shown) which is supported dorsal by the lamina **6** and ventral by the corn **7** of the allure cartilage **8**. The medial accessory cartilage **9** and the lamina **6** of the allure cartilage support the “false” nostril of the horse. The cartilaginous rostrum nasal septum **10** is shown in FIG. 2.

FIGs. 5-7 illustrate three different embodiments of an NSD (**15, 16, 17**) according to the invention. The surface layer is removed in each of these figures to expose the top side of the support layer **20** and the top side of the pad layer **21** which covers the engaging layer (not shown). The support layer **20** includes transverse lift members **22** in FIGs. 5-7 and longitudinal lift members **23** in FIG. 7. The lift members **22** of FIG. 5 are narrower but greater in number than the lift members **22** of FIG. 6. In the embodiment of FIG 2, the transverse dimension of the lift members range from 9 cm to 14 cm, the width of the transverse members is about 0.6 cm, the spacing between members is about 0.6 cm and the thickness of the lift members is about 0.14 inches. In the embodiments of FIGs. 5-7, the peripheral contours of the pad layer (and engaging layer) extend beyond the lift members.

As shown in FIGs. 5-7, an NSD includes a first side piece **24** and a second side piece **25** that intersect at the midline **26** of the midline region **26a** of the device. In use,

the rostral end **27** of the device is oriented towards the apex of the nose and the caudal end **28** is oriented towards the eyes of the animal. In FIG. 5, the midline rostral-poll dimension **M** at the midline **26** is at least equal to the side piece rostral-poll dimension **S** of side pieces **24** and **25**. Also as shown in the embodiments of FIGs. 5-7, preferably, the rostral-poll dimension of the NSD at the midline **M** is greater than the rostral-poll dimensions **S** of the first or second side pieces **24, 25**. In FIG. 7, the NSD includes a rostrally extending center piece or “tongue” **29** that can extend rostrally to engage the nose between the nostrils.

In use, an NSD is secured to the animal’s nose oriented generally as shown in FIGs. 8 and 9. FIG. 8 is a front view of a horse **30** having an embodiment of an NSD **31** having an external configuration as shown in FIGs. 5 and 6 (**15** and **16**, respectively) secured to the nose **32**. FIG. 9 is a front view of a horse **30** having an embodiment of an NSD **17** as shown in FIG. 7 secured to its nose **32**. As can be seen in FIG. 9, the tongue **29** of the NSD **17** extends between the nostrils **33** of the horse **30**.

FIG. 10 is an exploded perspective view of the components making up an embodiment of an NSD **15** as shown in FIG. 5. According to this embodiment, the engaging layer **40** includes an adhesive surface **41** to secure the NSD **15** to an animal’s nose. A pad layer **42** is adhered to the engaging layer **40**. The pad layer **42** can have an adhesive layer or be adhesive free. In the embodiment shown, the engaging layer **40** is a double sided adhesive such that the top side **43** of the engaging layer will adhere to the pad layer **42**. The support layer **44** includes lift members **45**. The lift members **45** can be adhered to the pad layer **42** using, for example, a double sided adhesive **46**. A surface

layer **47** can be applied over the support layer **44** to provide unity, additional strength or a “canvas” for applying an ornamental design to the device. Suitable materials for each of the layers have been described previously. The releasable liner for protecting the adhesive surface **41** of the engaging layer is not shown.

5 FIG. 11 illustrates the engaging layer **110** of another embodiment of an NSD **100** with the releasable liner removed. According to this embodiment, a discontinuous adhesive pattern **101** is applied to the NSD **100** as a pre-cut medical tape or transfer adhesive or applied as a printed liquid adhesive. As described earlier, a polygon adhesive pattern **104** is one of several suitable discontinuous adhesive patterns. While the
10 illustrated embodiment does not include holes, the areas void of adhesive **102** in the adhesive pattern **101** provide for perspiration to pass through a breathable or non-breathable surface layer to the surface of the NSD. It is believed that areas void of adhesive **102** of the adhesive pattern **101** of the engaging layer **110** facilitates engagement of the NSD **110** to the mobile contours of the vestibular wall of some animal’s noses,
15 such as a horse. However, it is also foreseen that a pattern similar to that shown in FIG. 11 can include two different adhesives. That is, a first adhesive could be applied as the adhesive pattern **104** and second adhesive applied in regions **102**. The two different adhesives could provide adhesive function under different conditions. For example, the first adhesive may provide greater adherence to the nose when the nose is dry and the
20 second adhesive could provide greater adherence when the nose is wet from perspiration.

In addition, rather than extending the adhesive pattern to the peripheral edge **109** of the NSD, the engaging layer **110** can include a continuous adhesive border around the

perimeter of the NSD. Such a border can be about 0.5 to 5 cm, typically about 2-3 cm wide.

FIG. 12 illustrates a bottom plan view of another embodiment of an NSD **150** having a discontinuous adhesive pattern **101** of the engaging layer **110**. The releasable liner has been removed. In this embodiment, the discontinuous adhesive pattern **101** is provided by creating holes **107** through the entire thickness of the device. Note that the holes **107** preferably do not pass through the lift members **105**. In addition to enhancing the ability of the device **150** to adapt to contour changes of the external surface of the vestibular wall, it is believed that holes **107** provide for passage of perspiration or other moisture from the surface of the animals nose to the external surface of the device **150**. The ability for moisture to pass external to the device further reduces the chance of the device **150** disengaging from the nose. As discussed earlier, the shape of the holes is not limited to round.

FIG. 13 is an exploded perspective view of the NSD **150** of FIG. 12. This embodiment includes a surface layer **103** having an adhesive **120** on the underside **121** of the surface layer **103** for adhering the surface layer **103** to the top side **123** of the lift members **105**. One suitable material for the lift members **105** is 1400A MYLAR® (i.e., 1400 gauge MYLAR® which is about 350 micron or 14 mils) available from DuPont, Wilmington, DE. A presently preferred surface material **103** is No. 9906T non-woven medical tape available from 3M Co., St. Paul, MN. The engaging layer **110** can be applied as a liquid adhesive to the underside **121**, **124** of the surface layer **103** and lift members **105**, respectively. Alternatively the engaging layer can be applied to the

underside **121**, **124** of the surface layer **103** and lift members **105**, respectively, as a double sided medical tape or transfer adhesive. In one embodiment, two layers of No. 1524 transfer adhesive, available from 3M Co., St. Paul, MN., provide the adhesive for the engaging layer **110**.

5 In another embodiment, an NSD according to the invention provides a bilaterally symmetrical NSD across two dimensional axes of the device. Referring to FIG. 14, a general configuration for an NSD according to this embodiment is diagrammatically illustrated. As illustrated, NSD **200** has a transverse axis A_T through the widest transverse dimension W_T . NSD **200** also has a longitudinal axis A_L through the longest
10 rostral-caudal dimension M . Thus, although other longitudinal dimensions L and transverse dimensions T are present, the greatest dimension in either the longitudinal or transverse direction is at the axes.

According to this embodiment, the NSD is bilaterally symmetrical on opposing aspects of transverse axis A_T . That is, the upper surface **201** of NSD **200** looks
15 substantially identical to the bottom surface **202**. In addition, the NSD is bilaterally symmetrical on opposite sides of longitudinal axis A_L such that the right surface **204** is substantially identical to the left surface **205**. It will be appreciated that each axes A_T and A_L bisects the device into bilaterally symmetrical halves in their respective dimensions.

The general appearance of NSD **200** of FIG. 14 can include any of the structural
20 features or components of other NSDs disclosed herein, but, in addition to other advantages, this configuration provides for ease of application and reduced likelihood of malfunction due to improper positioning. Specifically, the device provides structural

features in a configuration which can be placed on the nose in the position illustrated in FIG. 14 or rotated 180° therefrom.

In addition, the two axes bilaterally symmetrical devices can include all structural aspects, components, or functional features described above for other NSD embodiments, but within varying appearances as illustrated in FIGs. 15-40 as described below.

FIG. 15 illustrates a top side view of one appearance for the configuration of a two axes bilaterally symmetrical NSD as described above with reference to FIG. 14. FIG. 16-18 illustrate a bottom side view of the embodiment of FIG. 15 with varying numbers of support members **210** as described earlier. An intermittent adhesive pattern can be used as described. Holes may also be placed through the device, preferably not located in or through the lift members.

FIG. 19 is a top side view and FIGs. 20-22 are bottom side views of an alternative appearance of an NSD containing the configurational features described. FIG. 23 is a top side view and FIGs. 24-26 are bottom side views of an alternative appearing embodiment. FIG. 27 is a top side view and FIGs. 28-31 are bottom side views of another alternative appearing embodiment. FIG. 32 is a top side view and FIGs. 33-35 are bottom side views of yet another alternative appearing embodiment. FIG. 36 is a top side view and FIGs. 37-40 are bottom side views of another alternative appearing embodiment of an NSD according to the invention.

Thus, each of the foregoing embodiments illustrated in FIGs. 15-40 can include some or all of the structural features or arrangements of other NSDs disclosed herein but with different ornamental appearances. The side view of each of the embodiments is

substantially void of any ornamental features. In addition, the lift members can be of the same number, size, shape, material, material thickness, etc. as previously described. In addition, construction features, component layers, adhesive features, holes, intermittent adhesive patterns, etc. can be used.

5 In another embodiment, an NSD **300** according to the invention can be provided in component parts, some of which are reusable. FIG. 41 is a top plan view of one such embodiment and FIG. 42 is an end-on view of the embodiment of FIG. 41 looking from the rostral aspect **R**. According to this embodiment, NSD **300** includes a first side piece **301** for engaging to a first lateral vestibular wall and a second side piece **302** for engaging
10 a second lateral vestibular wall. An engaging layer **303** including adhesives and adhesive systems as described earlier can be applied to the bottom surfaces **304** or **305** of side pieces **301** and **302**, respectively, for adhering the side pieces to the lateral vestibular walls. Bridge piece **306** is configured to traverse the animal's nose and attach at a first lateral region **307** to the first top side **308** of first side piece **301** and attach at a second
15 lateral region **309** to a second top side **310** of second side piece **302**. The bridge **306** can attach to the side pieces **301** and **302** using known systems such as velcro, buckles, zippers, snaps, hooks, hook and loops, snap-rings, clips or other similar attachment providing for reusable attachment of bridge piece **306** to the side pieces. The side pieces **301** and **302** will typically be replaced after each use.

20 It will be appreciated that bridge piece **306** includes a surface material **320** which keeps individual lift members **312** in a fixed arrangement relative to one another. The components of the surface layer and lift members can be as previously described.

Alternative materials consistent with the functional requirements for an NSD of the invention can also be used. One, two, three, four or more lift members **321** can be used as needed. Holes may also pass through the bridge piece **306** which preferably do not pass through lift members **321**.

- 5 Side pieces **301** and **302** may or may not include lift members and also may or may not include holes. If used, one or more lift members can be used which are oriented parallel, perpendicular or oblique to the lift members of bridge piece **306**.

FIG. 43 illustrates another embodiment of an NSD **350** having a first side piece **351** and a second side piece **352** substantially as described for NSD **300** above.

- 10 However, in contrast to bridge piece **306**, the bridge piece of embodiment **350** comprises at least two, typically three and optionally more, independent lift members **353**. Each lift member can attach at its lateral region **354**, **355** to side pieces **351** and **352** as described for NSD **300**.

- FIG. 44 illustrates another embodiment of an NSD **400** having a first side piece
15 **401** and a second side piece **402** substantially as described for NSDs **300** and **350**.

- However, bridge piece **403** comprises a single unit piece which traverses the nose and attaches at its lateral edges **404** and **405** to first side piece **401** and second side piece **402** as described above. Hence, for each of the NSD embodiments **300**, **350** and **400**, the first and second side pieces can be discarded after use and bridge pieces **306**, **353** and **403** can
20 be reused. With each use, the operator can apply the lateral regions to the first and second side pieces with a selected amount of tension for a desired amount of support for the lateral vestibular wall.

An NSD as disclosed herein provides support for the nasal passages of an animal. The support provides for increased airflow at rest and during exercise. The air flow facilitating affects of an NSD can be determined by various methods including measurement of air flow rates, driving pressure for flow and impedance to air flow. Air flow rates can be measured by attaching a pneumotachograph to a face mask worn by an exercising horse. Driving pressure for flow can be measured by passing a catheter via the nares to the pharynx. From the pressure and flows, impedance to air flow can be calculated. Flow volume loops may demonstrate reduction of dynamic collapse of the nasal passages. It is believed that some embodiments of an NSD as described herein will provide at least about 5-10% reduction in inspiratory impedance, in some embodiments at least about 15-25%, and in some embodiments over a 25% reduction. During preliminary studies, one horse showed over 40% reduction in inspiratory impedance when wearing an NSD of the invention. A detailed description of methods useful for measuring air flow affects of an NSD are described in Lumsden et al., "Use of Flow-Volume Loops to Evaluate Upper Airway Obstruction in Exercising Standardbreds," AJVR, 54(5):766-775 (May 19, 1993).

In a performance horse, an NSD can be particularly beneficial for reducing the chance of exercise induced respiratory conditions. For example, the inventors foresee use of an NSD to reduce the chance of exercise induced pulmonary hemorrhage (EIPH) or "bleeders". The ability to decrease the incidence of this condition without the use of pharmacological agents will provide a major benefit to the horse industry. In addition, an NSD may also facilitate air flow in horses afflicted with partial or full recurrent laryngeal

nerve dysfunction (“roarers”) or dorsal displacement of the soft palate. The device has been shown to reduce the noise associated with recurrent laryngeal nerve dysfunction in some horses.

In another embodiment, the invention provides therapeutic devices for treating
5 conditions amenable to the delivery of magnetic, electromagnetic, thermal (hot or cold), ultrasonic or other energy emitting modality. The device could also provide for delivery of a pharmaceutical agent. According to this embodiment, the surface layer and engaging layer components and constructions herein described for an NSD can be used. However, in contrast to previously described devices, in the present devices, the support layer is
10 supplanted by, or supplemented with, a therapeutic layer. In addition, the configurational appearance can vary depending on the size or region of the body to which it is desired to deliver the therapeutic energy.

According to this embodiment, the therapeutic layer can include wafer shaped magnets, electromagnets, ultrasound transmitters, thermal emitters or other known
15 therapeutic modality. For example, in one embodiment, the lift members can be supplanted by placement of thin magnets which deliver magnetic energy to a localized region of the body over which the device is placed. In general, preferred components of the therapeutic layer, such as magnets, are flexible to conform to the location of the body where the device will be applied, but lack significant elasticity or shape memory which
20 would act to conform the shape of the body region to the engaging surface of the device. The adhesive surface can be continuous or intermittent on one side of the therapeutic layer. A surface layer may optionally be used.

In some embodiments, the device can include a surface layer, a therapeutic layer and an adhesive layer. The surface layer can be configured to include a border which

extends sufficiently around the perimeter of the therapeutic layer. The adhesive layer can then be applied over the therapeutic layer and the perimeter border to provide adhesive engagement of the device to a selected location of the patient's body. As described for the support layer above, an adhesive can be used to adhere the therapeutic layer to the surface layer. Examples of appearances of suitable configurations can be understood by reference to FIGs. 5-8, 10-13, and 15-44 wherein the lift members would be replaced by the particular therapeutic delivery apparatus.

Many of the adhesive systems disclosed herein are advantageous for adhering to the body. In addition, by adjusting the moisture absorbing characteristics of the adhesives used, such as by addition of a hydrocolloid, such as carboxymethylcellulose, polyacrylamide, or similar composition, the ability to maintain position in the presence of sweat or other fluids will be increased. In addition to other adhesives, suitable adhesives include adhesives of a type used to maintain EKG patches on a human or animal body. In an alternative embodiment, the therapeutic deliver apparatus can be inserted into a pouch made from plastic, PTFE, fabric or other suitable material having a surface coated with an engaging layer as disclosed herein.

Examples of conditions which can be treated by placement of a herein disclosed therapeutic device at or near the location of the condition include: acute or chronic inflammation, non-union fractures, splints, muscle soreness, tendon injuries, etc.

It will be apparent to one of ordinary skill in the art that many changes and modifications can be made in the invention without departing from the spirit or scope of the appended claims.

What is claimed is:

1. A support device for supporting tissues overlying a first and second nasal passage, the support device comprising:

- an adhesive layer for securing the support device to the tissues;
- a support layer; and
- a surface layer, the surface layer configured to include:

a first transverse dimension having a first transverse axis therethrough;

a center longitudinal dimension having a center longitudinal axis which is orthogonal to said first transverse axis and bisects said first transverse axis;

a first and second lateral longitudinal dimension on opposing sides of said center longitudinal dimension,

said center longitudinal dimension greater than said first and second lateral longitudinal dimensions;

said surface layer on opposing sides of said first transverse axis
being mirror images of one another.

2. A support device according to claim 1 wherein said surface layer on opposing sides of said longitudinal axis are mirror images of one another.
3. A support device according to claim 1 wherein said center longitudinal dimension is less than said first transverse dimension.
4. A support device according to claim 1 wherein said support layer includes at least one lift member.
5. A support device according to claim 1 wherein said support layer includes at least two lift members.
6. A support device according to claim 1 wherein said support layer includes three or more lift members.
7. A support device according to claim 1 wherein said adhesive layer is intermittent.

8. A support device according to claim 5 wherein said device includes holes through said surface layers and said adhesive layers, said holes not through said lift members.
9. A support device according to claim 1 wherein said surface layer is bilateral symmetrical across both of said transverse and longitudinal axes.
10. A support device configured for supporting tissues overlying a first and second nasal passage of an animal, the support device comprising:
- a support layer; and
 - a surface layer, the surface layer configured to include:
 - a first axis which bisects said surface layer along a first dimension;
 - a second axis which bisects said surface layer along a second dimension;
 - said surface layer being bilaterally symmetrical across both of said first and second axes.
11. A support device according to claim 10 wherein said surface layer on opposing sides of said longitudinal axis are mirror images of one another.

12. A support device according to claim 10 wherein said center longitudinal dimension is less than said first transverse dimension.
13. A support device according to claim 10 wherein said support layer includes at least one lift member.
14. A support device according to claim 10 wherein said support layer includes at least two lift members.
15. A support device according to claim 10 wherein said adhesive layer is intermittent.
16. A support device according to claim 14 wherein said device includes holes through said surface layers and said adhesive layers, said holes not through said lift members.
17. A support device for supporting tissues over a first and second nasal passage, said device comprising;
- a first side piece for applying over said first nasal passage;
 - a second side piece for applying over said second nasal passage; and

- a bridge piece having a first lateral region and a second lateral region for attaching said first lateral region to said first side piece and said second lateral region to said second side piece.

18. The support device according claim 8 wherein said bridge piece comprises at least two lift members.

19. The support device according to claim 8 wherein said first and second lateral regions of said bridge piece attach to said first and second side pieces using velcro.

20. A therapeutic device comprising:

- a therapeutic layer; and
- an adhesive for maintaining said device in a selected location.

Abstract of the Invention

The present disclosure provides a device and method for facilitating air flow in the nasal passage of a domestic animal. The nasal support device (NSD) disclosed herein is useful for facilitating air flow during rest, physical exertion, respiratory ailment, etc.

- 5 The NSD secures to the nose of a domestic animal to support the unsupported lateral vestibular walls of the nasal passages by lifting or stenting.

FIG. 1A

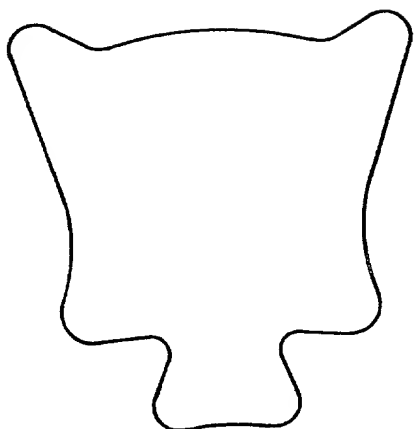


FIG. 1D

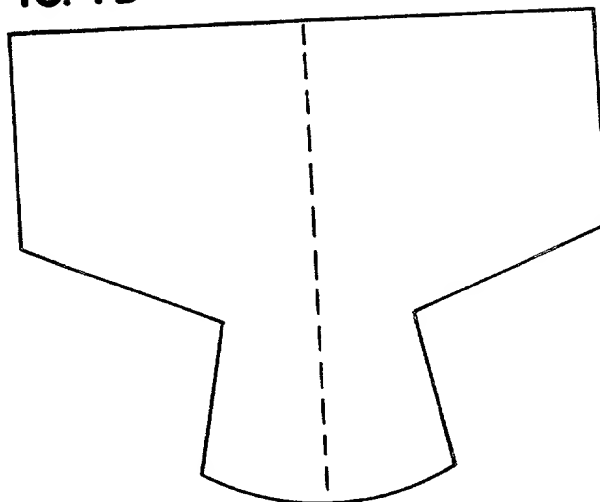


FIG. 1B

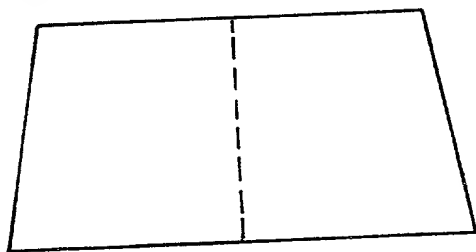


FIG. 1E

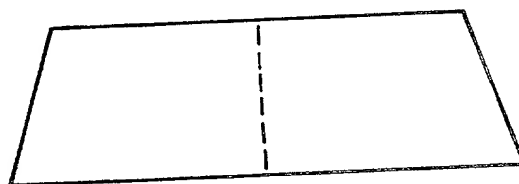


FIG. 1C

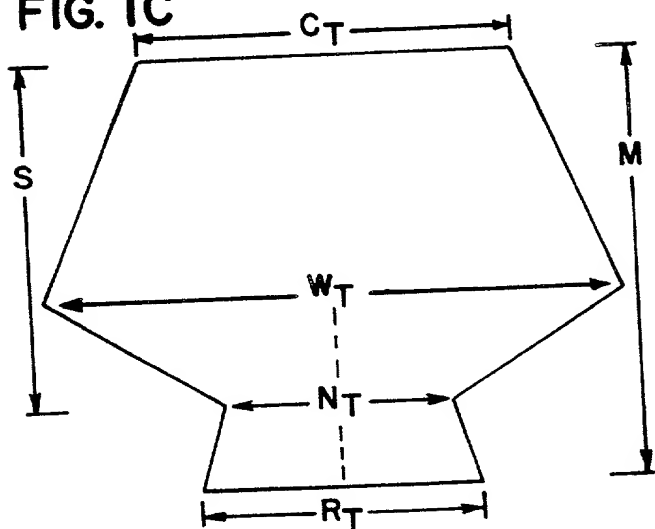


FIG. 1F

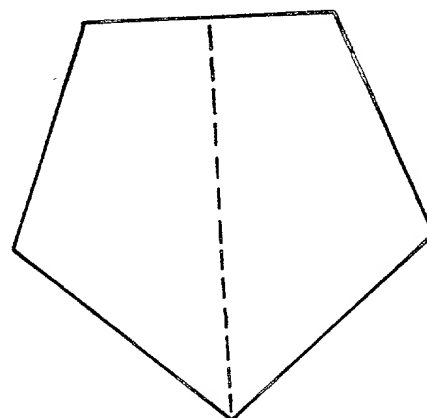


FIG. 1G

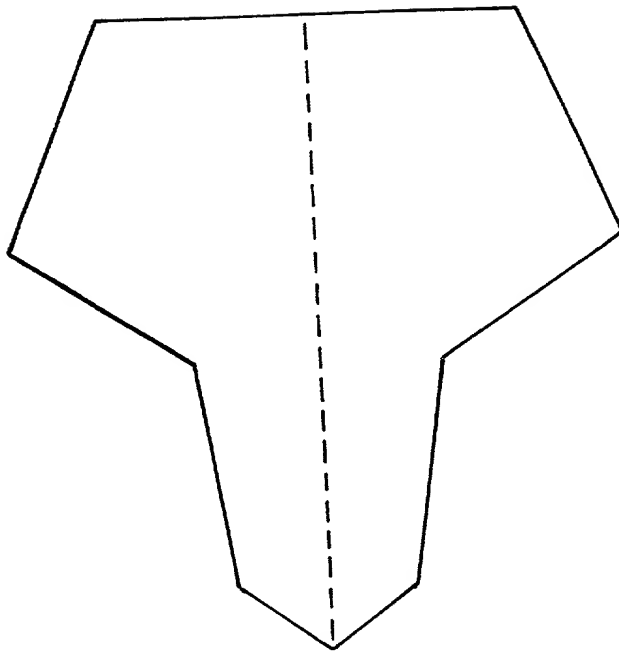


FIG. 1H

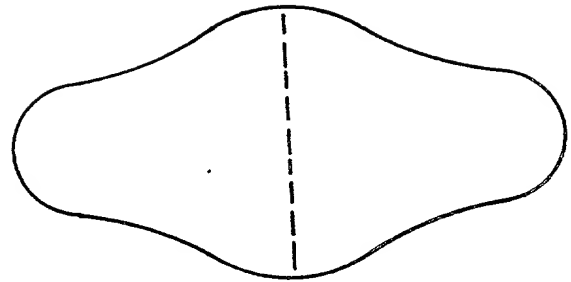


FIG. 1I

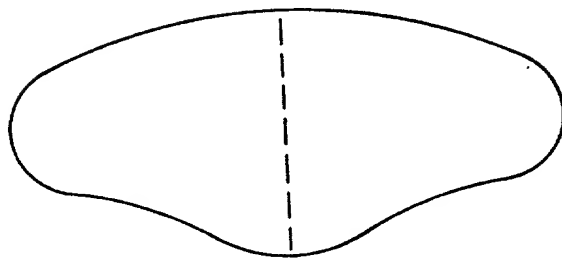


FIG. 2

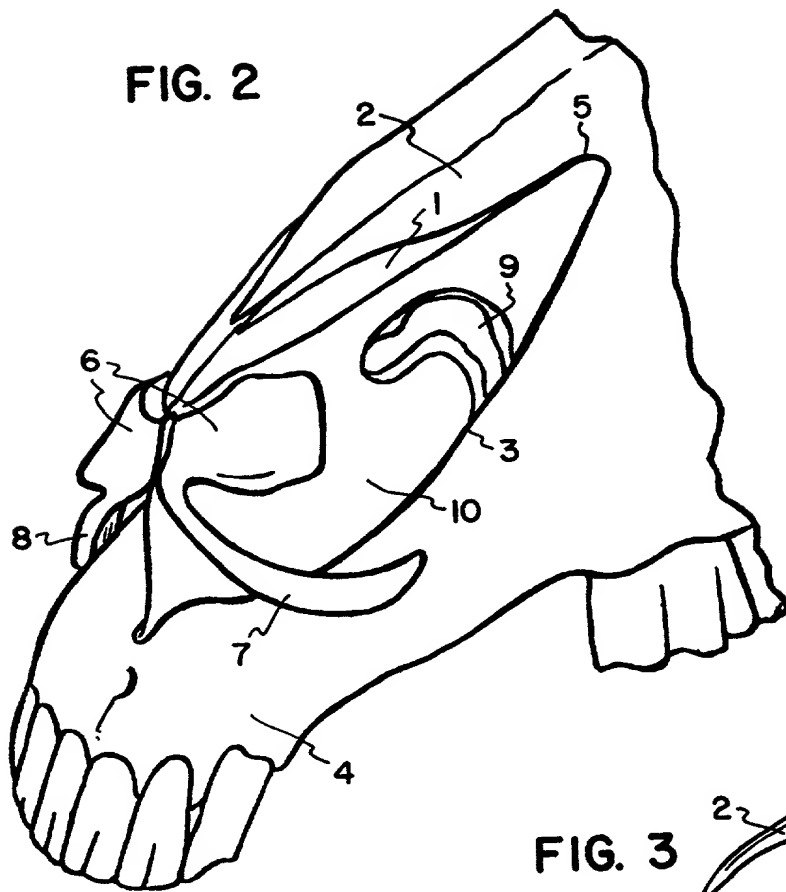


FIG. 3

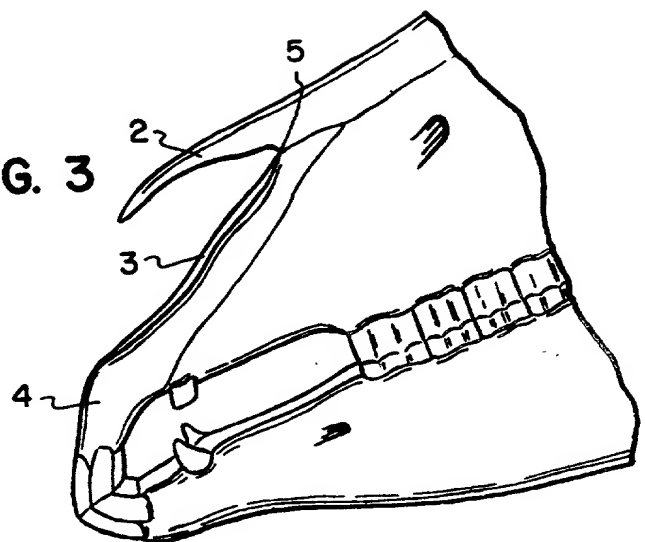


FIG. 4

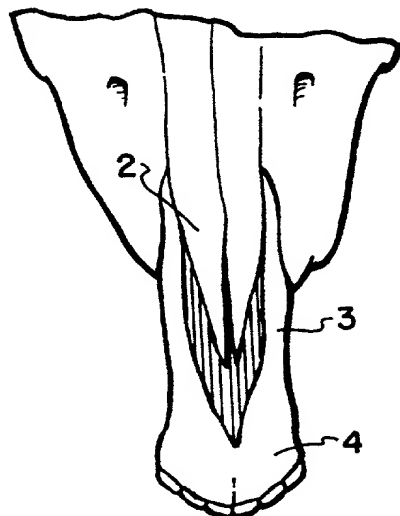


FIG. 5

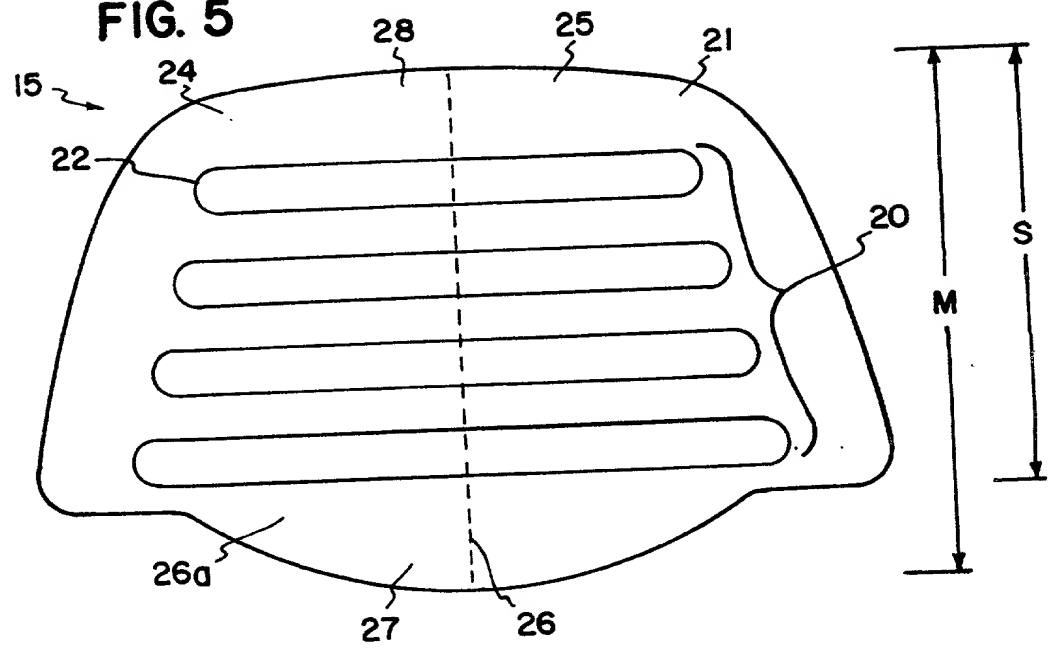


FIG. 6

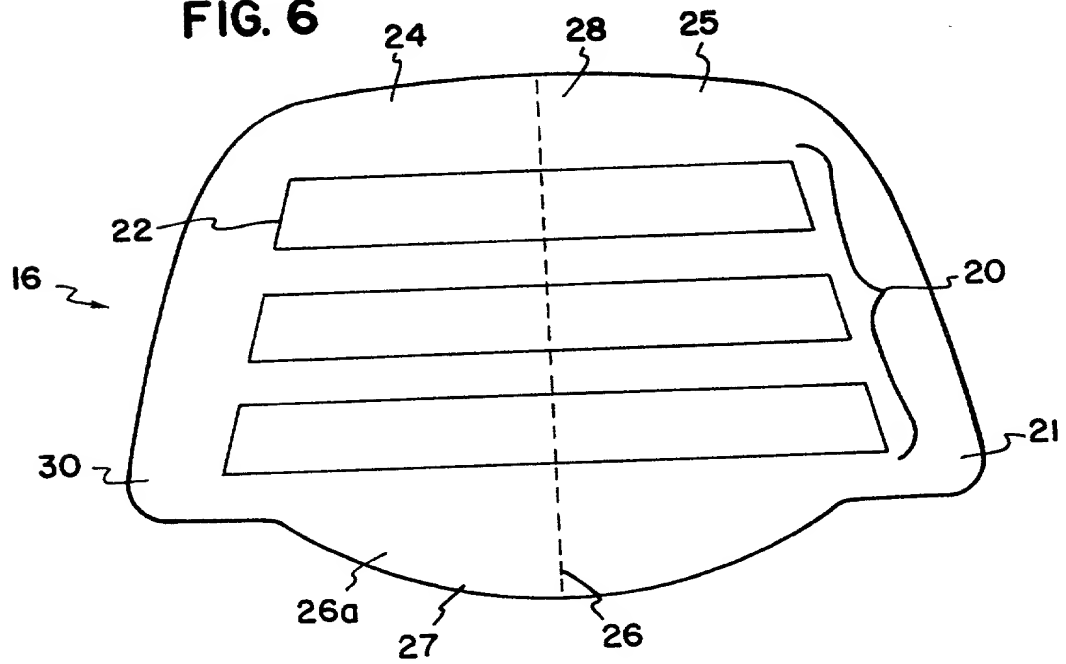


FIG. 7

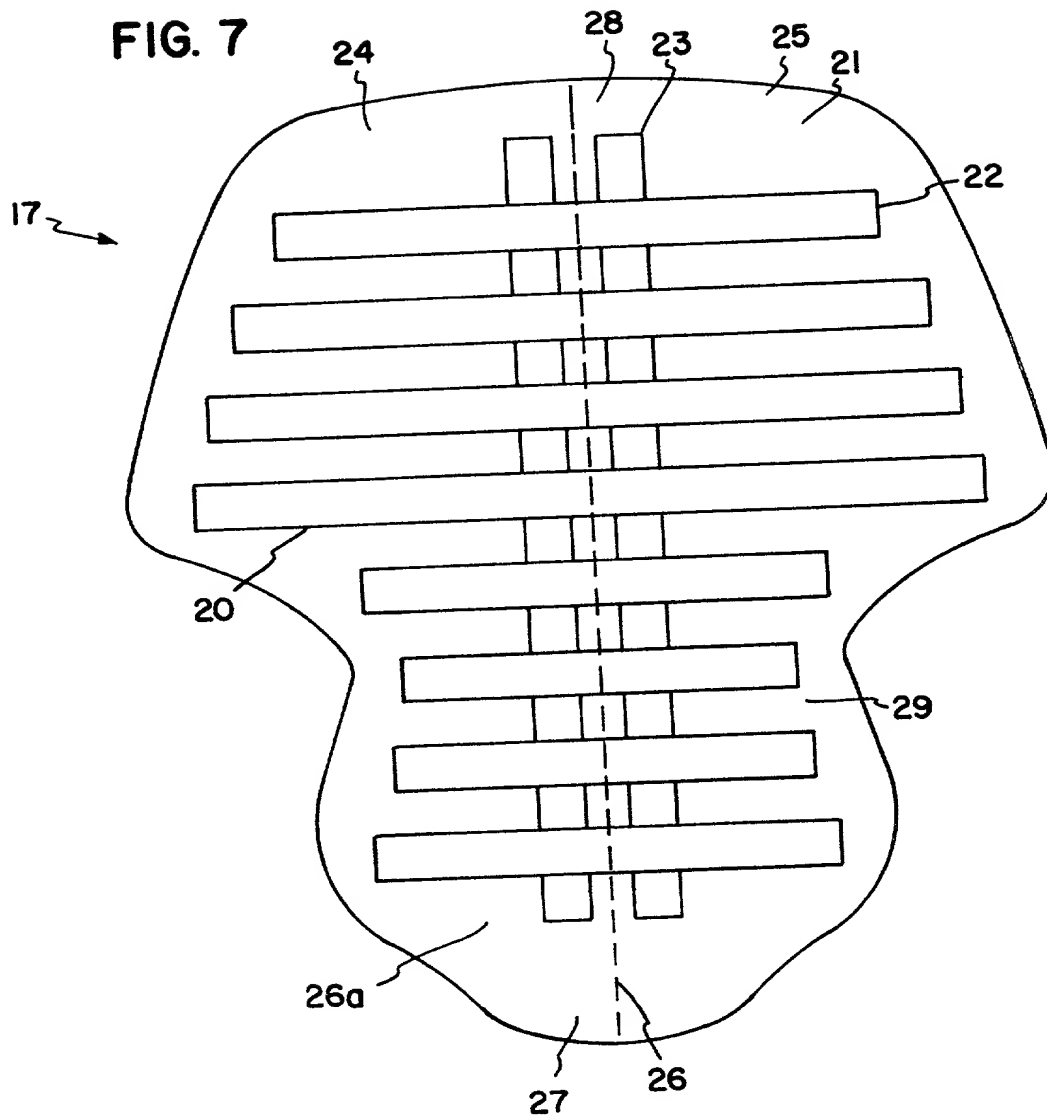


FIG. 9

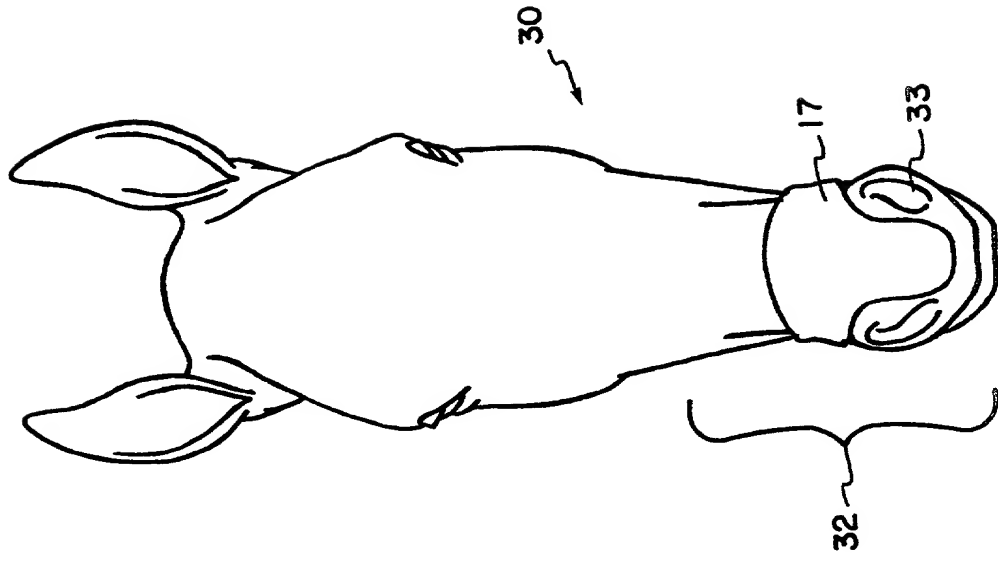


FIG. 8

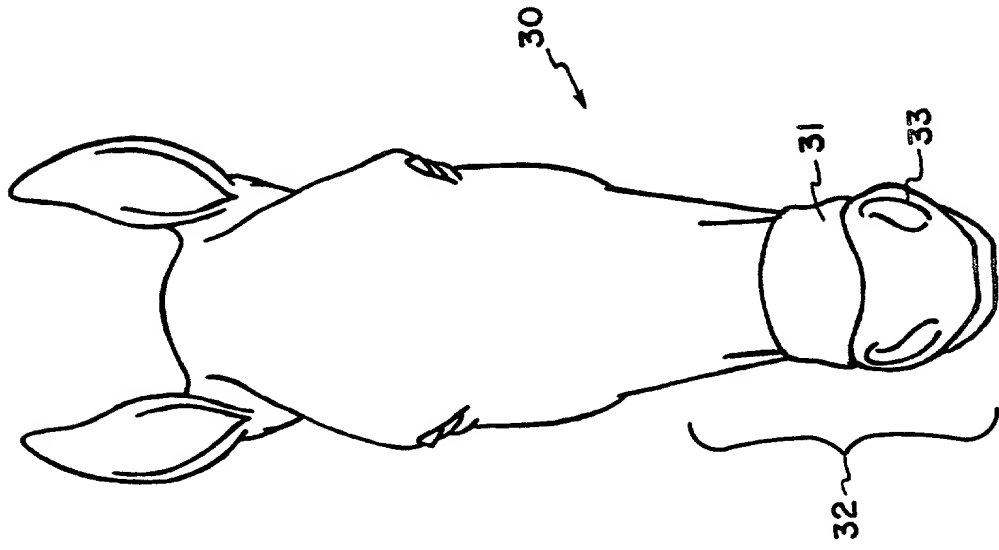


FIG. 10

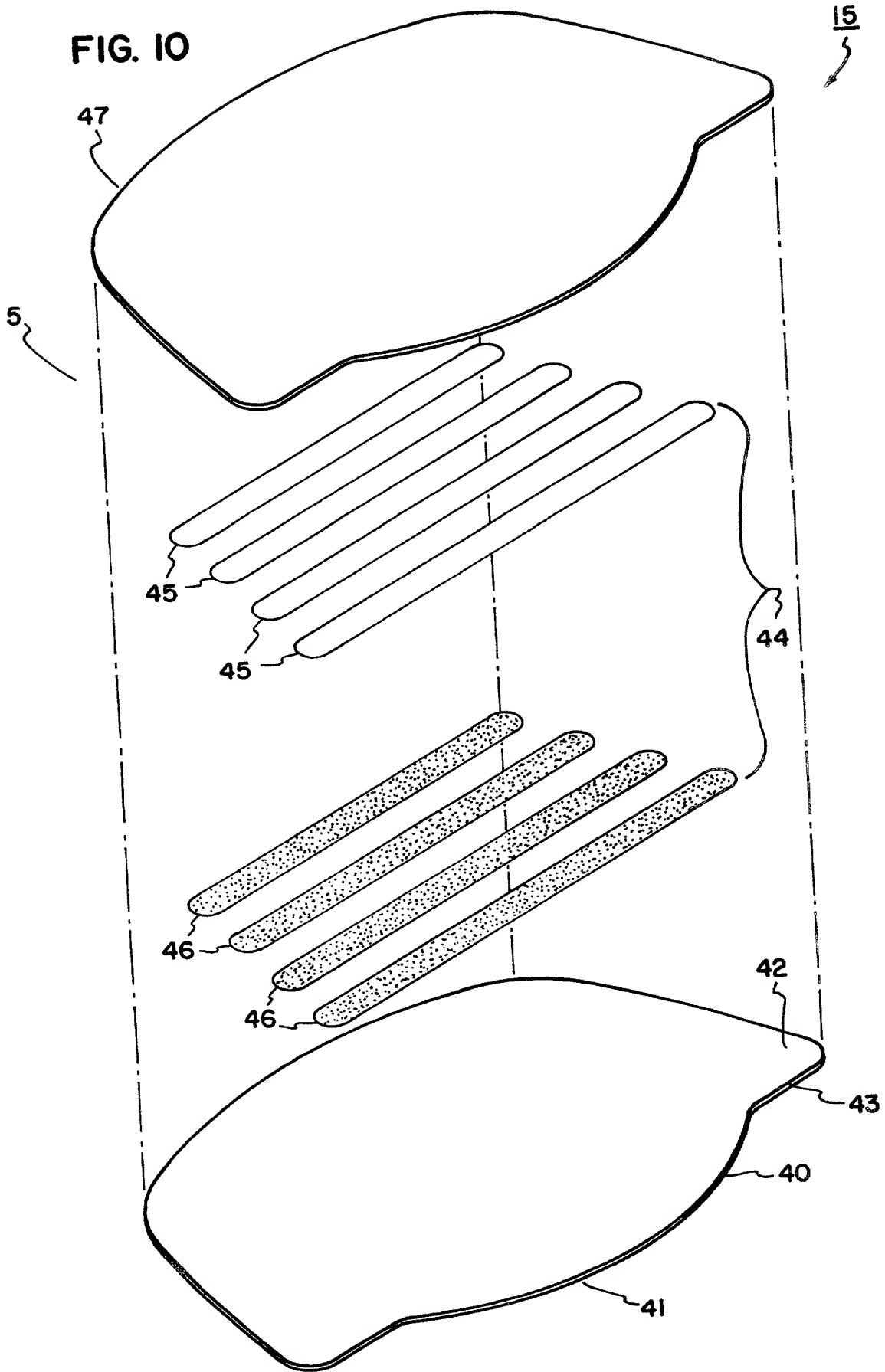


FIG. 11

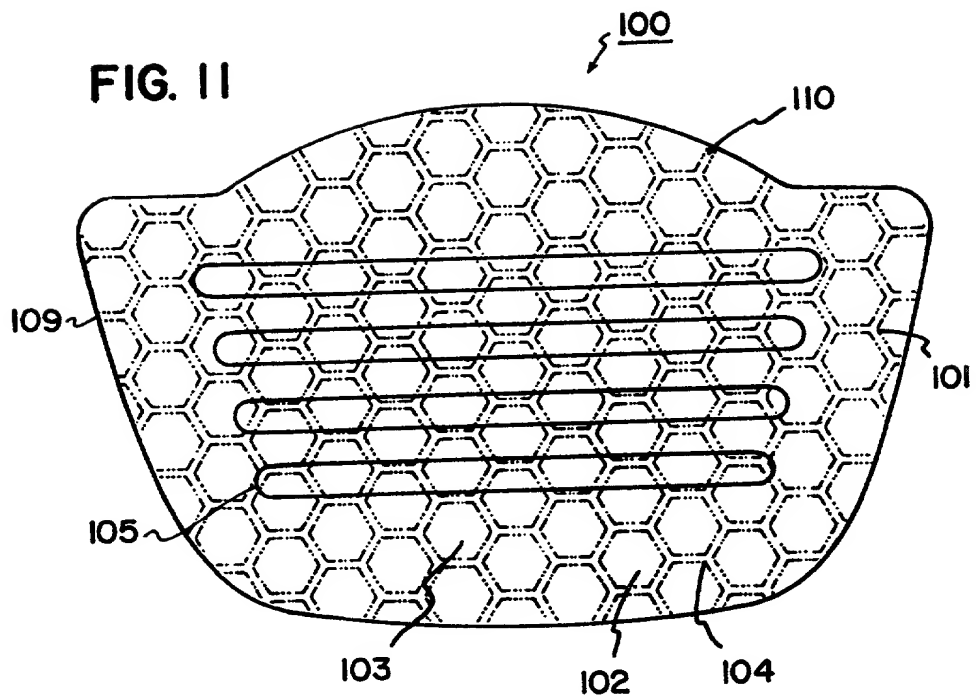


FIG. 12

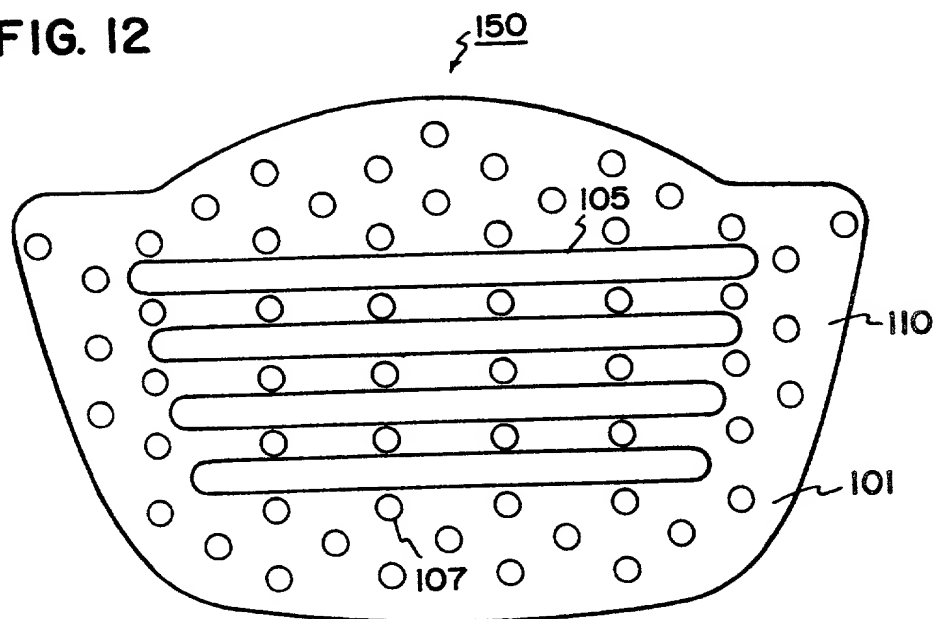


FIG. 13

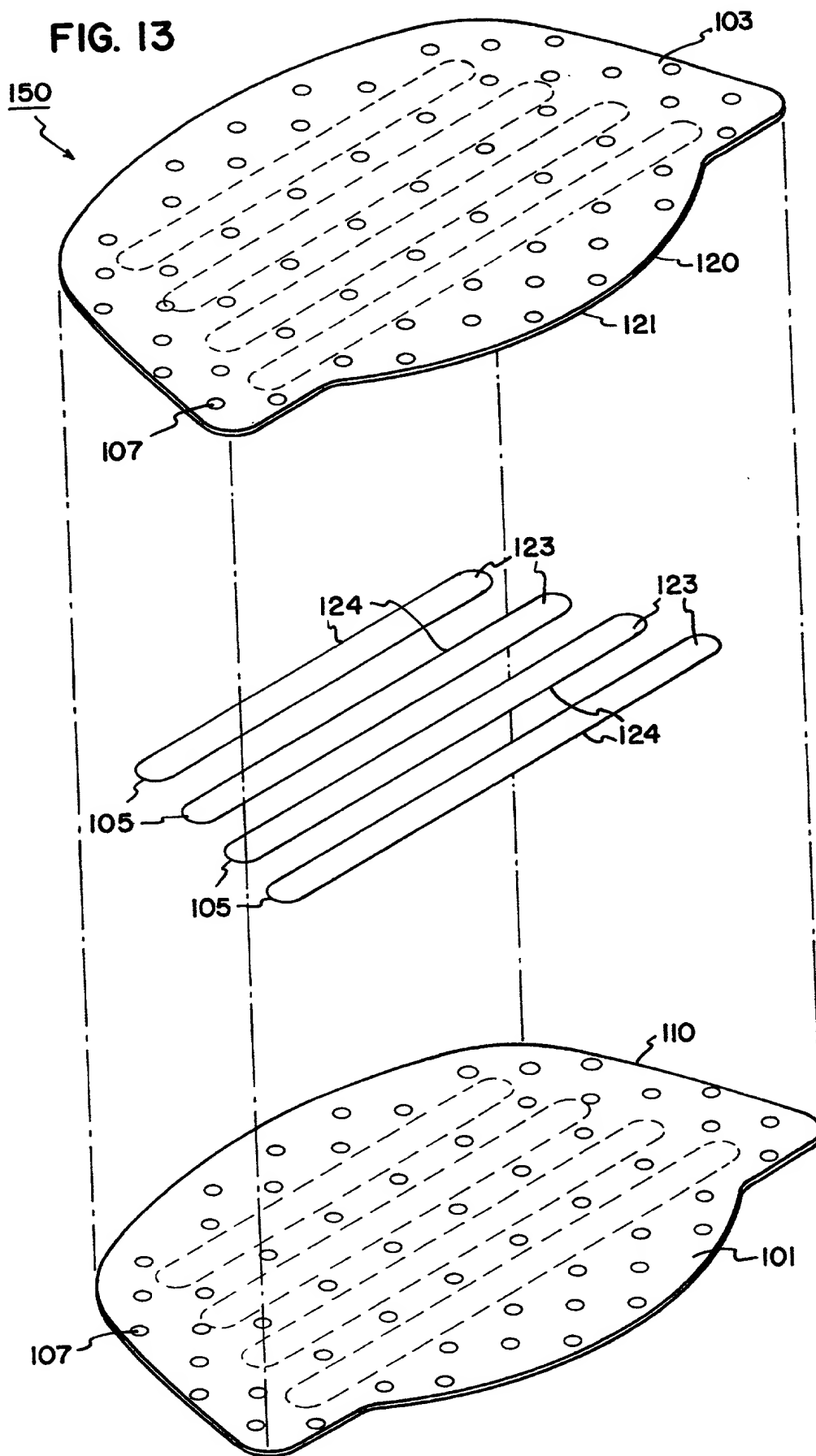


FIG. 14

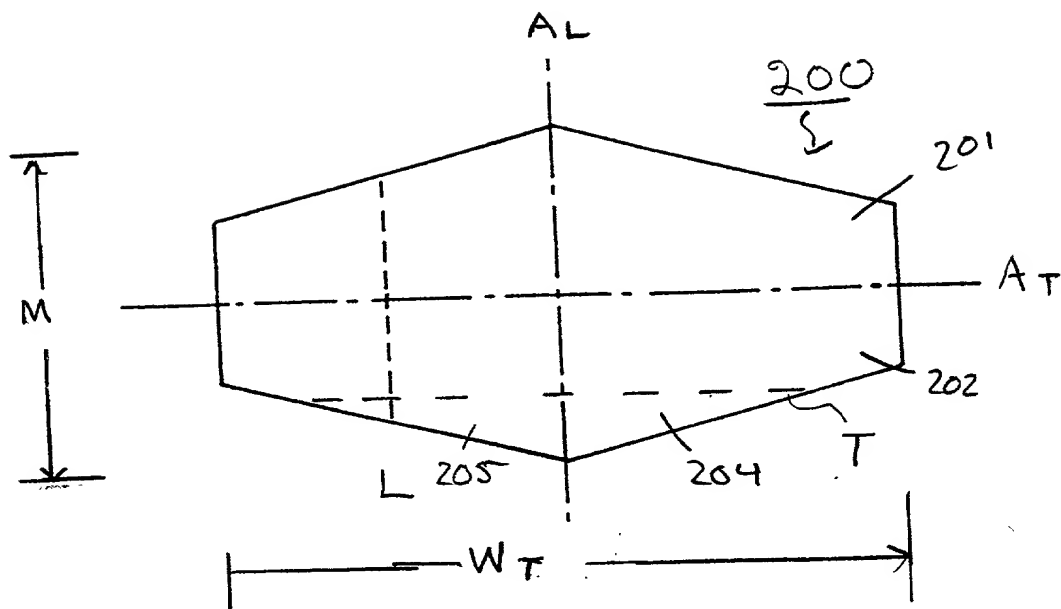


FIG. 15

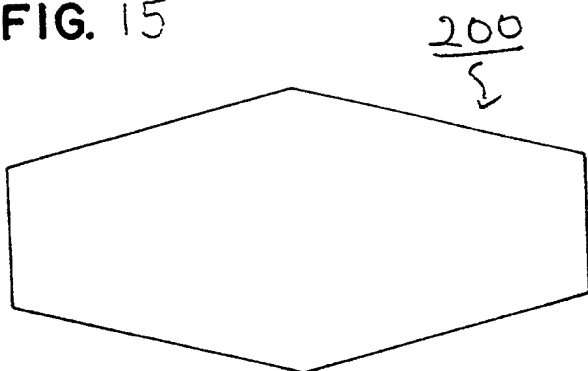


FIG. 16

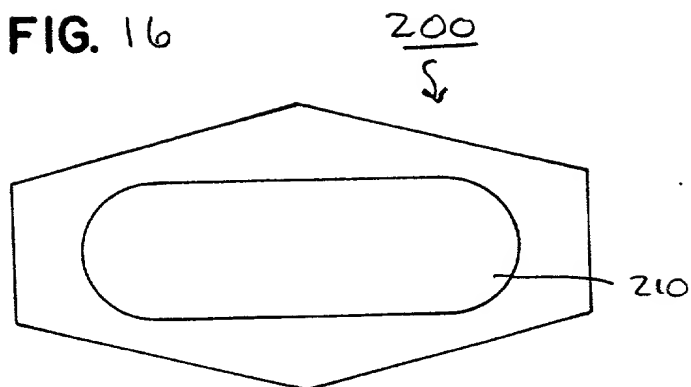


FIG. 17

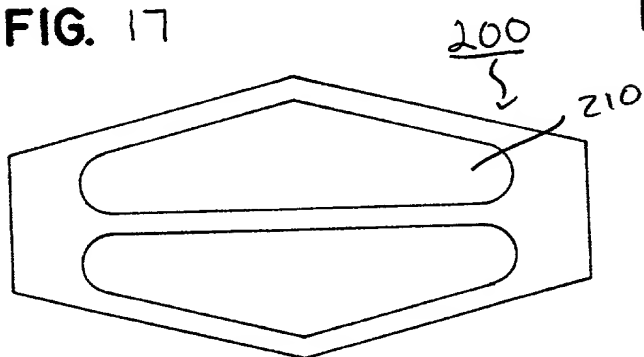


FIG. 18

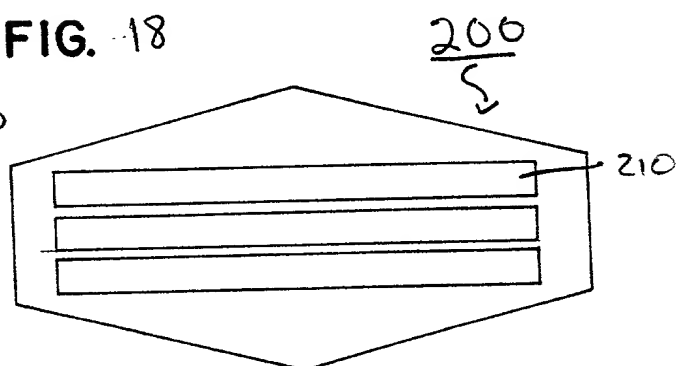


FIG. 19

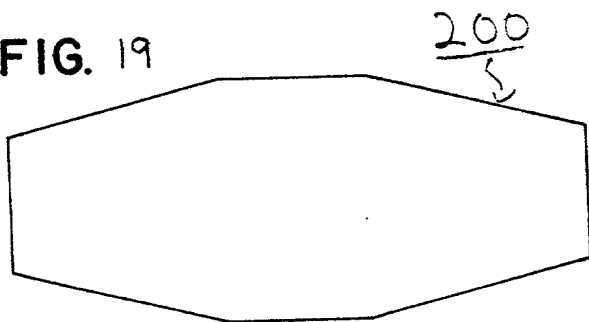


FIG. 20

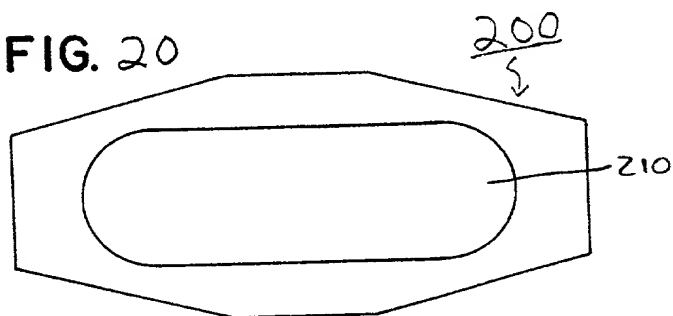


FIG. 21

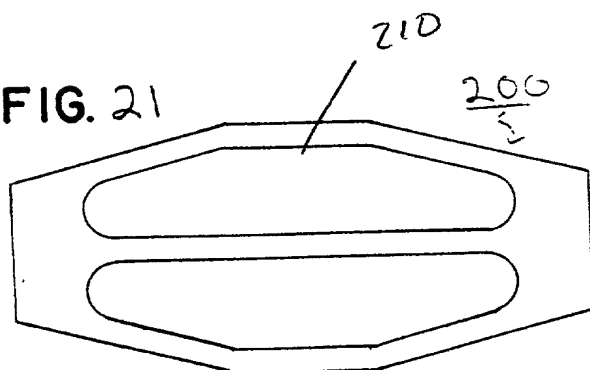


FIG. 22

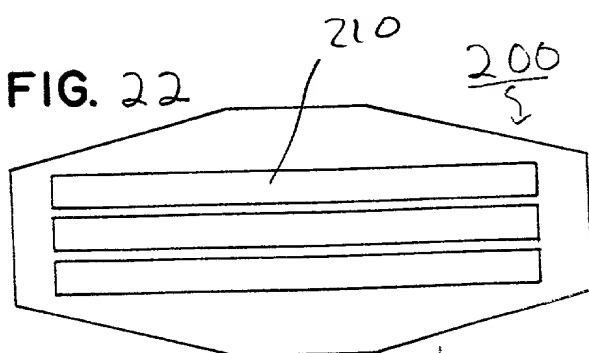


FIG. 23

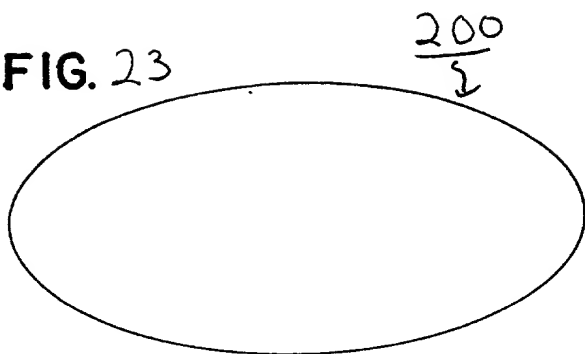


FIG. 24

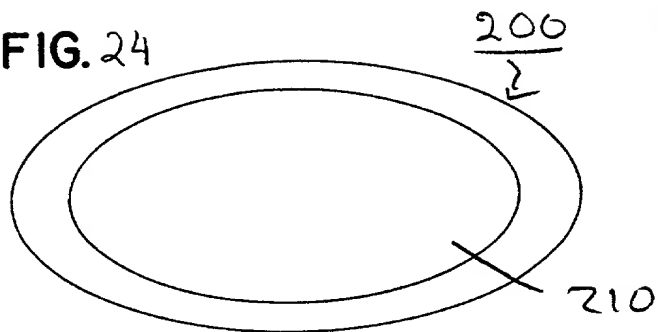


FIG. 25

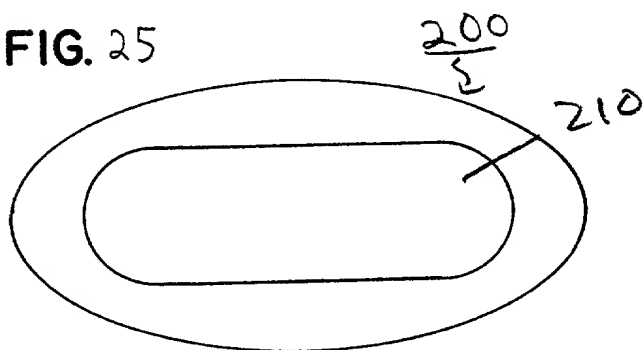


FIG. 26

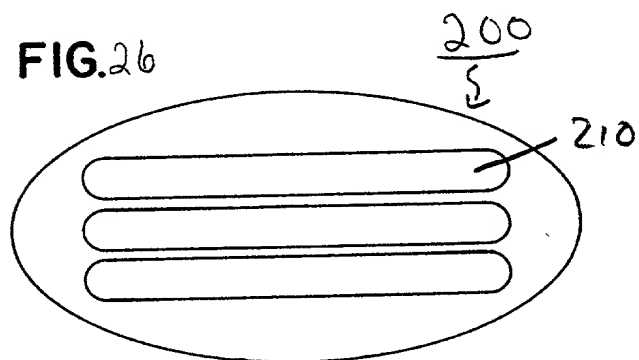


FIG. 27

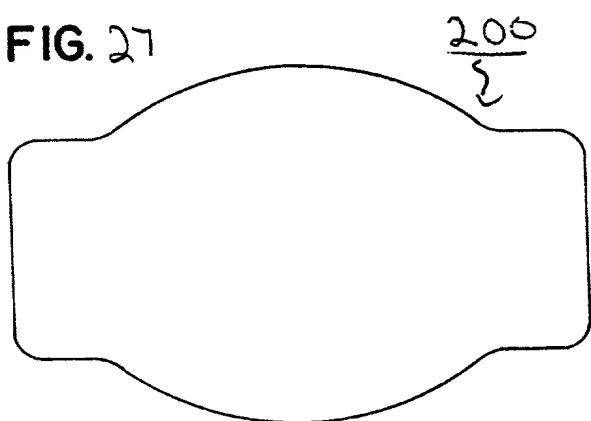


FIG. 28

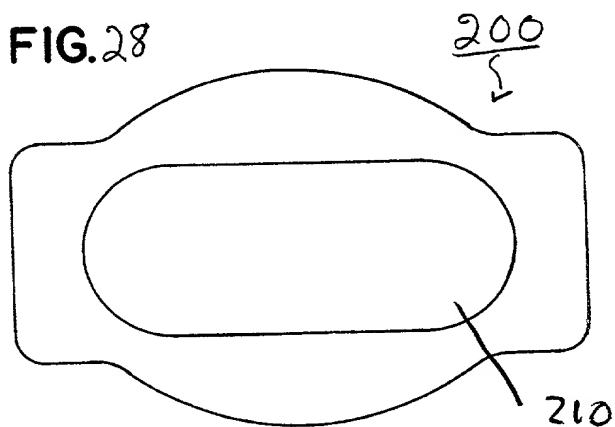


FIG. 29

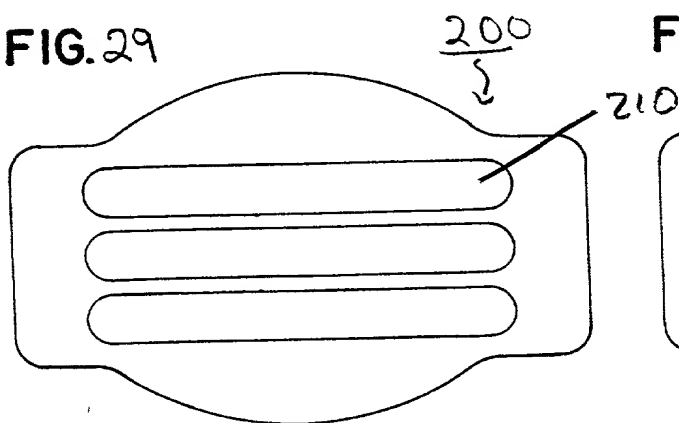


FIG. 30

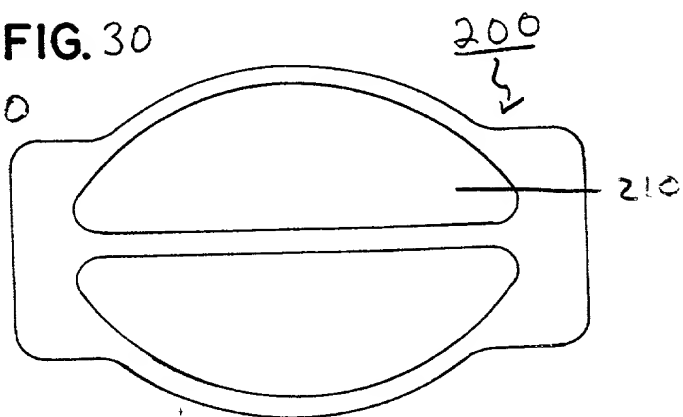


FIG. 32

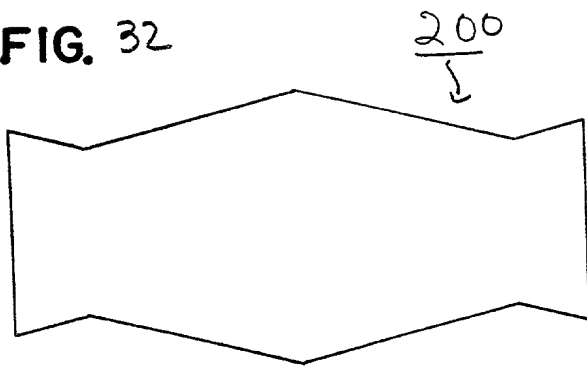


FIG. 33

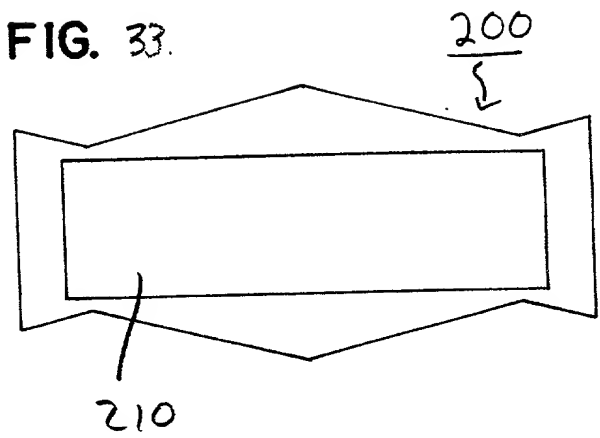


FIG. 34

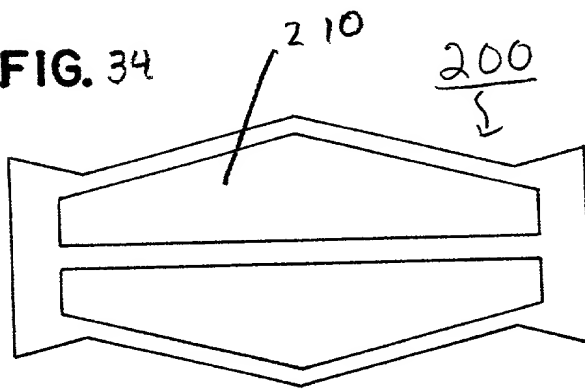


FIG. 35

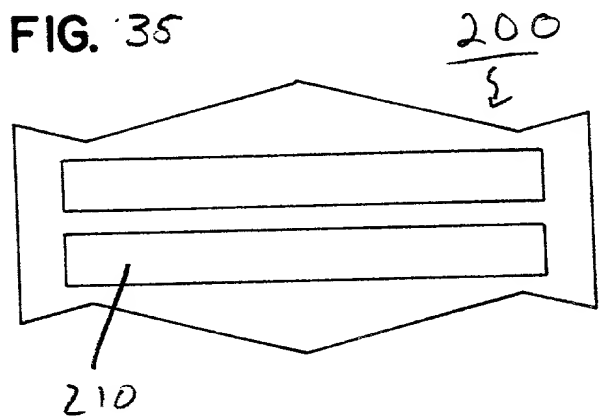


FIG. 31

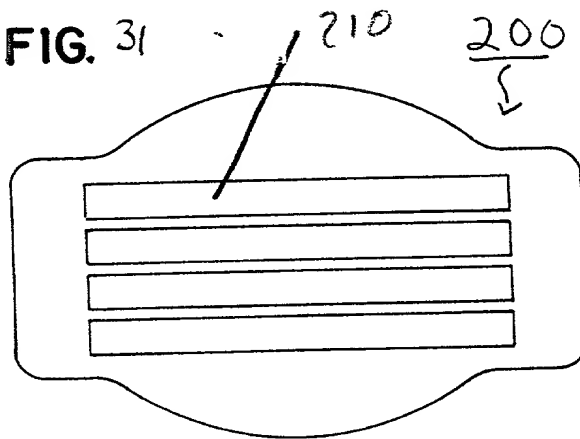


FIG. 36

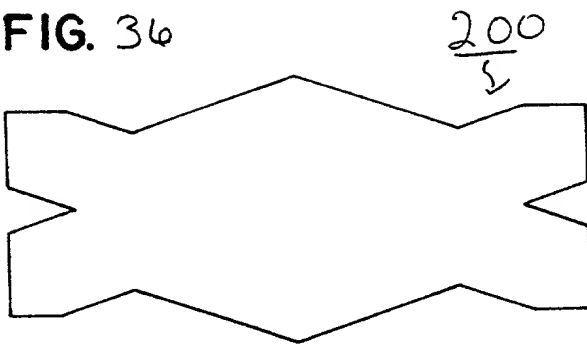


FIG. 37

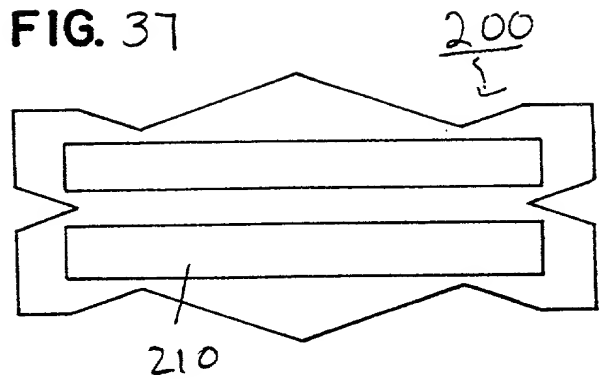


FIG. 38

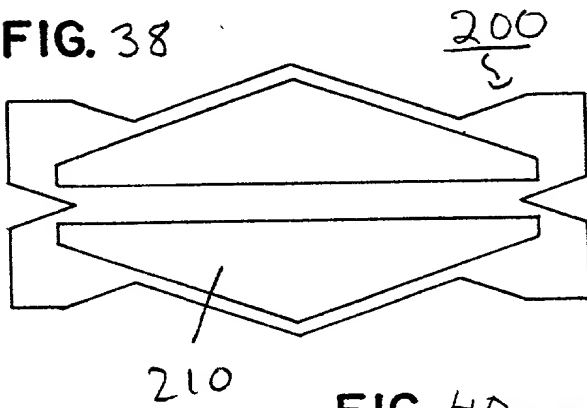


FIG. 39

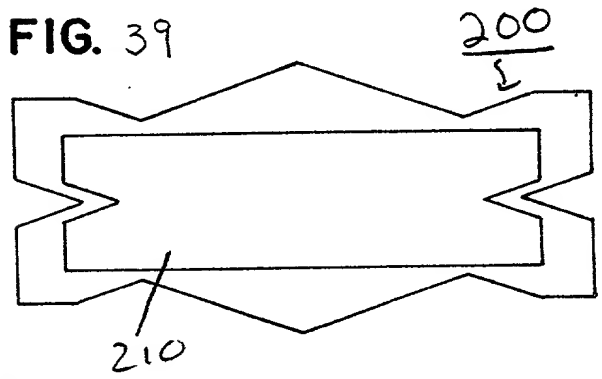
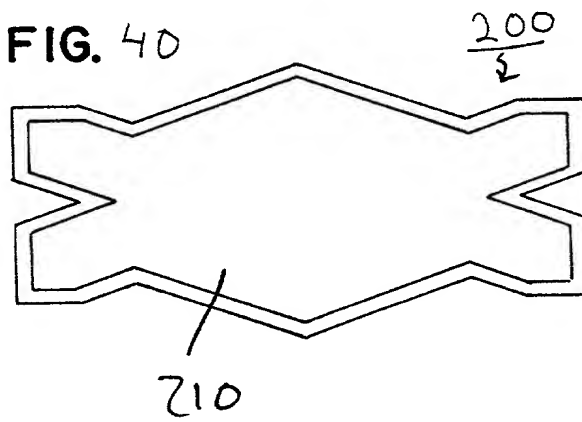


FIG. 40



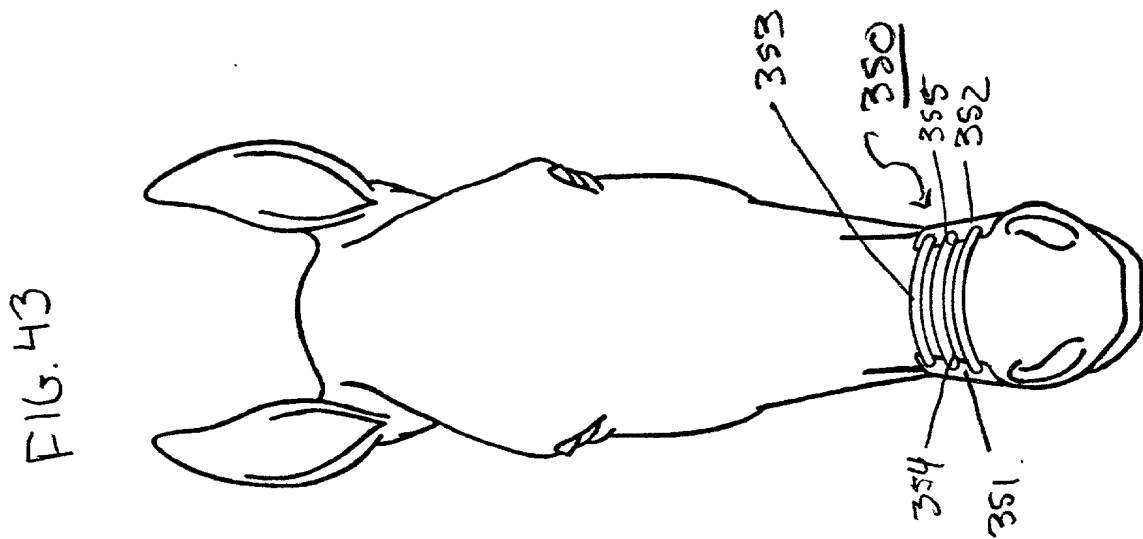
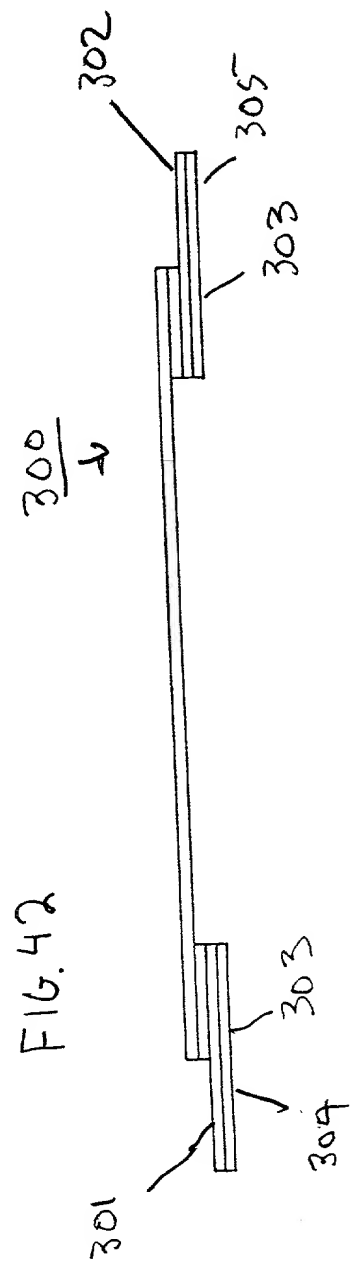
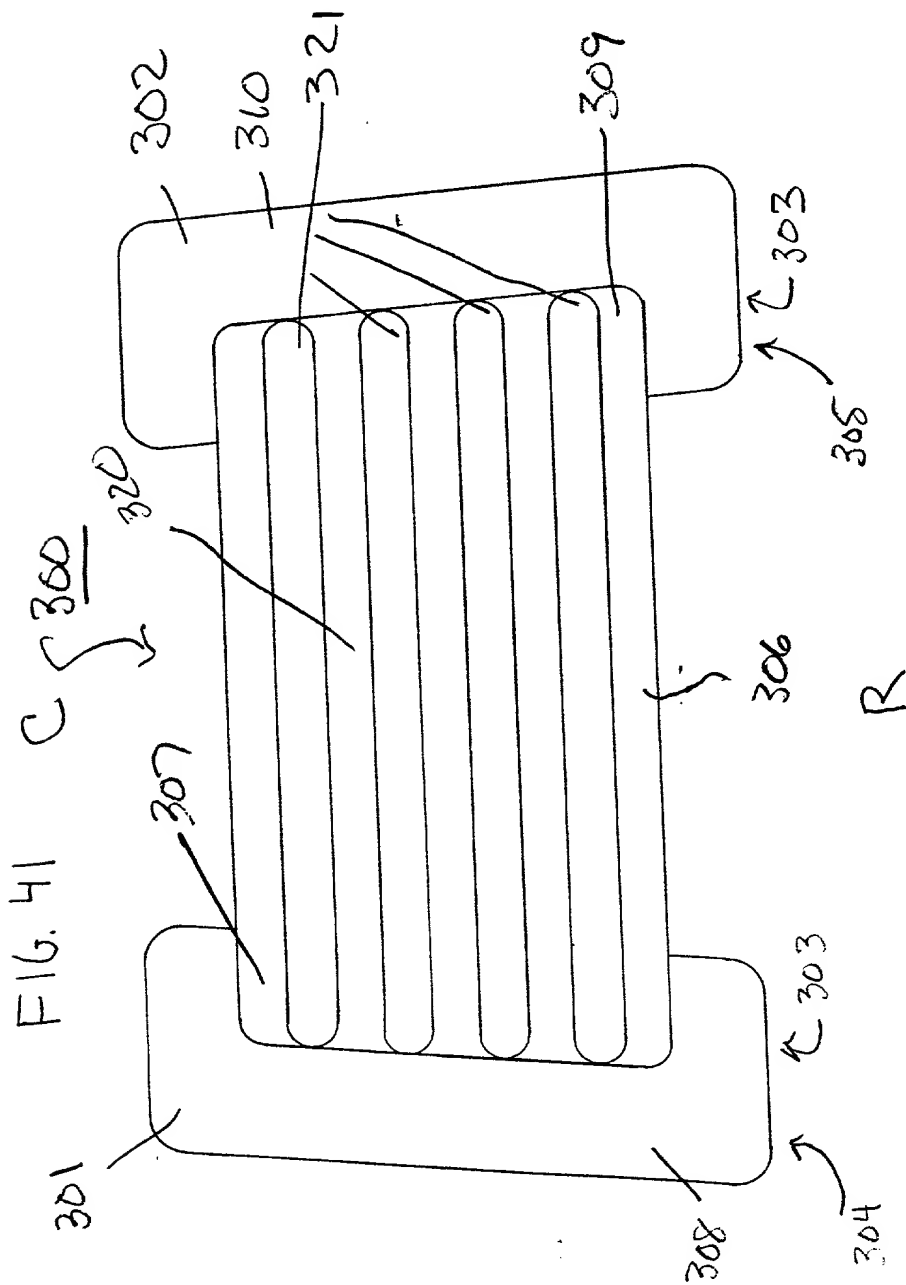
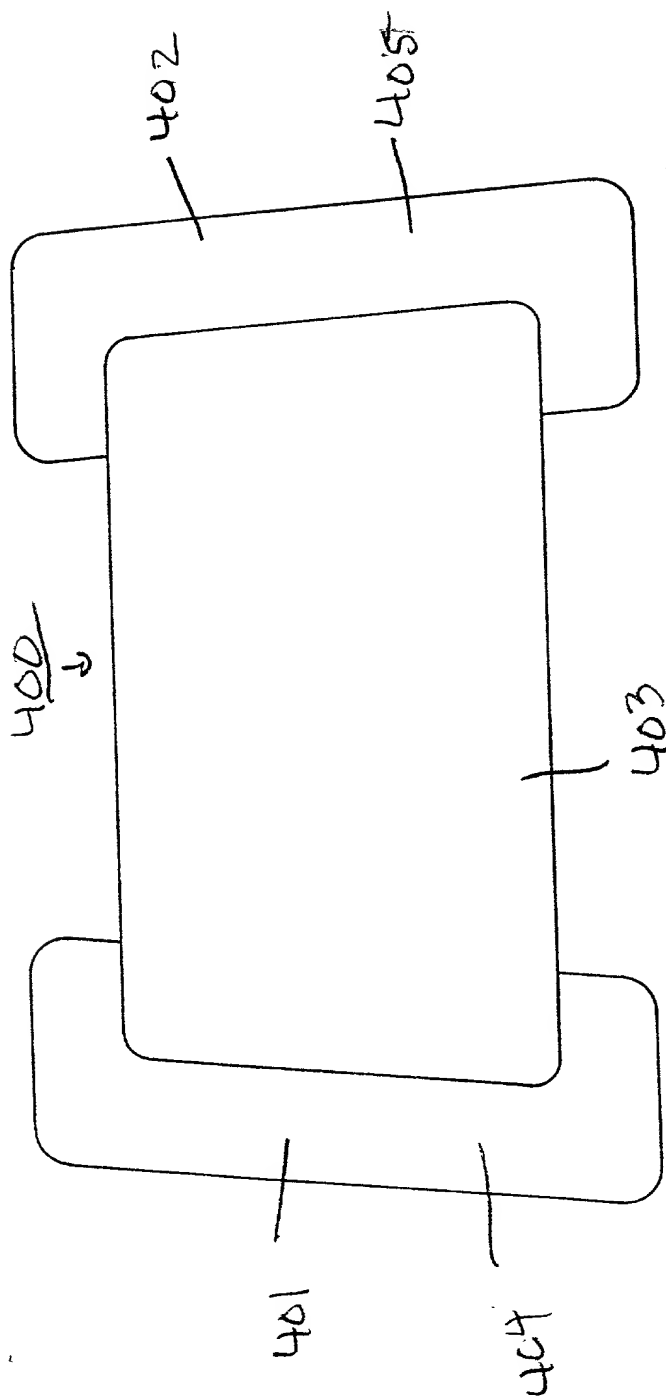


FIG. 44



MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: NASAL SUPPORT DEVICE FOR DOMESTIC MAMMALS AND METHOD

The specification of which

- a. ☒ is attached hereto
b. ☐ was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
09/018,603	February 4, 1998	Pending

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. 40,481	Lacy, Paul E.	Reg. No. 38,946
Anderson, Gregg I.	Reg. No. 28,828	Larson, James A.	Reg. No. 40,443
Ansems, Gregory M.	Reg. No. 42,264	Lasky, Michael B.	Reg. No. 29,555
Batzli, Brian H.	Reg. No. 32,960	Liepa, Mara E.	Reg. No. 40,066
Beard, John L.	Reg. No. 27,612	Lindquist, Timothy A.	Reg. No. 40,701
Berman, Charles	Reg. No. 29,249	Lynch, David W.	Reg. No. 36,204
Black, Bruce E.	Reg. No. 41,622	Marschang, Diane L.	Reg. No. 35,600
Blasdell, Thomas L.	Reg. No. 31,329	McDaniel, Karen D.	Reg. No. 37,674
Bogucki, Raymond A.	Reg. No. 17,426	McDonald, Daniel W.	Reg. No. 32,044
Bruess, Steven C.	Reg. No. 34,130	McIntyre, Iain A.	Reg. No. 40,337
Byrne, Linda M.	Reg. No. 32,404	McKenzie Denise L.	Reg. No. P-43,790
Carlson, Alan G.	Reg. No. 35,959	Mueller, Douglas P.	Reg. No. 30,300
Carter, Charles G.	Reg. No. 35,093	Nasiedlak, Tyler L.	Reg. No. 40,099
Caspers, Philip P.	Reg. No. 33,227	Nelson, Albin J.	Reg. No. 28,650
Chiapetta, James R.	Reg. No. 39,634	Parker, Sandra M.	Reg. No. 36,233
Clifford, John A.	Reg. No. 30,247	Pauly, Daniel M.	Reg. No. 40,123
Cochran, William W.	Reg. No. 26,652	Phillips, John B.	Reg. No. 37,206
Daignault, Ronald A.	Reg. No. 25,968	Plunkett, Theodore	Reg. No. 37,209
Daley, Dennis R.	Reg. No. 34,994	Pytel, Melissa J.	Reg. No. 41,512
DalGLISH, Leslie E.	Reg. No. 40,579	Reich, John C.	Reg. No. 37,703
Daulton, Julie R.	Reg. No. 36,414	Reiland, Earl D.	Reg. No. 25,767
DeVries Smith, Katherine M.	Reg. No. 42,157	Rittmaster, Ted R.	Reg. No. 32,933
DiPietro, Mark J.	Reg. No. 28,707	Schmaltz, David G.	Reg. No. 39,828
Edell, Robert T.	Reg. No. 20,187	Schuman, Mark D.	Reg. No. 31,197
Epp Ryan, Sandra	Reg. No. 39,667	Schumann, Michael D.	Reg. No. 30,422
Farber, Michael B.	Reg. No. 32,612	Sebald, Gregory A.	Reg. No. 33,280
Funk, Steven R.	Reg. No. 37,830	Skoog, Mark T.	Reg. No. 40,178
Glance, Robert J.	Reg. No. 40,620	Soderberg, Richard	Reg. No. P-43,352
Golla, Charles E.	Reg. No. 26,896	Sumner, John P.	Reg. No. 29,114
Gorman, Alan G.	Reg. No. 38,472	Sumners, John S.	Reg. No. 24,216
Gould, John D.	Reg. No. 18,223	Tellekson, David K.	Reg. No. 32,314
Gregson, Richard	Reg. No. 41,804	Trembath, Jon R.	Reg. No. 38,344
Gresens, John J.	Reg. No. 33,112	Underhill, Albert L.	Reg. No. 27,403
Hamre, Curtis B.	Reg. No. 29,165	Vandenburgh, J. Derek	Reg. No. 32,179
Hillson, Randall A.	Reg. No. 31,838	Vradenburgh, Anna M.	Reg. No. 39,868
Holzer, Jr., Richard J.	Reg. No. 42,668	Welter, Paul A.	Reg. No. 20,890
Johnston, Scott W.	Reg. No. 39,721	Whipps, Brian	Reg. No. 43,261
Kastelic, Joseph M.	Reg. No. 37,160	Wickhem, J. Scot	Reg. No. 41,376
Kettelberger, Denise	Reg. No. 33,924	Williams, Douglas J.	Reg. No. 27,054
Knearl, Homer L.	Reg. No. 21,197	Witt, Jonelle	Reg. No. 41,980
Komanduri, Janaki	Reg. No. 40,684	Wood, Gregory B.	Reg. No. 28,133
Kowalchyk, Alan W.	Reg. No. 31,535	Wood, William J.	Reg. No. 42,236
Kowalchyk, Katherine M.	Reg. No. 36,848	Xu, Min S.	Reg. No. 39,536
Kubota, Glenn M.	Reg. No. P-44,197		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant, Gould, Smith, Edell, Welter & Schmidt to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

Merchant, Gould, Smith, Edell,
Welter & Schmidt
3100 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4131

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 0 1	Full Name Of Inventor	Family Name Blach	First Given Name Edward	Second Given Name L.
	Residence & Citizenship	City Roswell	State or Foreign Country New Mexico	Country of Citizenship U.S.A.
	Post Office Address	Post Office Address 3300 Kessler Place	City Roswell	State & Zip Code/Country NM 88201/U.S.A.
Signature of Inventor 201:				Date:
2 0 2	Full Name Of Inventor	Family Name Chiapetta	First Given Name James	Second Given Name R.
	Residence & Citizenship	City Eagan	State or Foreign Country Minnesota	Country of Citizenship U.S.A.
	Post Office Address	Post Office Address 856 Great Oaks Trail	City Eagan	State & Zip Code/Country MN 55123/U.S.A.
Signature of Inventor 202:				Date:

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)–(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.